

**Executive Summary – Enforcement Matter – Case No. 42791**  
**Equistar Chemicals, LP**  
**RN100542281**  
**Docket No. 2011-1947-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

Channelview Complex, 8280 Sheldon Road, Channelview, Harris County

**Type of Operation:**

Chemical manufacturing plant

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** March 2, 2012

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$10,571

**Amount Deferred for Expedited Settlement:** \$2,114

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$4,229

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$4,228

Name of SEP: The Sheltering Arms Weatherization Assistance Program

**Compliance History Classifications:**

Person/CN - Average

Site/RN - Average

**Major Source:** Yes

**Statutory Limit Adjustment:** \$4,275

**Applicable Penalty Policy:** September 2002

**Executive Summary – Enforcement Matter – Case No. 42791**  
**Equistar Chemicals, LP**  
**RN100542281**  
**Docket No. 2011-1947-AIR-E**

***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** July 11, 2011

**Date(s) of NOE(s):** October 5, 2011

***Violation Information***

1. Failed to prevent unauthorized emissions during an event that began on June 25, 2011 (Incident No. 156229). Specifically, the Respondent released 298 pounds (“lbs”) of butenes and 161 lbs of butadienes from the C4 Recovery Unit Reactor R-309C during the 18 hour event. The event occurred when a flammable mixture ignited inside the Thermal Oxidizer Blower BL-03001. Because the initial notification for the event was not submitted timely and the event could have been foreseen and avoided, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met [30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 2128 Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].
2. Failed to submit an initial notification for Incident No. 156229 not later than 24 hours after the discovery of an emissions event that began on June 25, 2011 at 10:20 p.m. Specifically, the initial notification was due by 10:20 p.m. on June 26, 2011 but was not submitted until June 28, 2011 at 6:27 p.m., over 24 hours after the incident was discovered [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

1. The Order will require the Respondent to implement and complete a Supplemental Environmental Project (“SEP”). (See SEP Attachment A)
2. The Order will also require the Respondent to:
  - a. Within 30 days:
    - i. Implement measures designed to prevent unauthorized emissions due to the same cause as the emissions event that occurred on June 25, 2011 (Incident No. 156229); and
    - ii. Implement improvements to procedures to ensure emissions events are timely reported.
  - b. Within 45 days, submit written certification demonstrating compliance.

**Executive Summary – Enforcement Matter – Case No. 42791**  
**Equistar Chemicals, LP**  
**RN100542281**  
**Docket No. 2011-1947-AIR-E**

***Litigation Information***

**Date Petition(s) Filed:** N/A  
**Date Answer(s) Filed:** N/A  
**SOAH Referral Date:** N/A  
**Hearing Date(s):** N/A  
**Settlement Date:** N/A

***Contact Information***

**TCEQ Attorney:** N/A  
**TCEQ Enforcement Coordinator:** James Nolan, Enforcement Division,  
Enforcement Team 4, MC 149, (512) 239-6634; Debra Barber, Enforcement Division,  
MC 219, (512) 239-0412  
**TCEQ SEP Coordinator:** Stuart Beckley, SEP Coordinator, Enforcement Division,  
MC 219, (512) 239-3565  
**Respondent:** Michael VanDerSnick, Site Manager, Equistar Chemicals, LP, 8280  
Sheldon Road, Channelview, Texas 77530  
**Respondent's Attorney:** N/A



**Attachment A**  
**Docket Number: 2011-1947-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

|                               |  |
|-------------------------------|--|
| <b>The Respondent:</b>        | <b>Equistar Chemicals, LP</b>                                    |
| <b>Penalty Amount:</b>        | <b>Eight Thousand Four Hundred Fifty-Seven Dollars (\$8,457)</b> |
| <b>SEP Offset Amount:</b>     | <b>Four Thousand Two Hundred Twenty-Eight Dollars (\$4,228)</b>  |
| <b>Type of SEP:</b>           | <b>Pre-approved SEP</b>  |
| <b>Third-Party Recipient:</b> | <b>The Sheltering Arms</b>                                       |
| <b>Project Name:</b>          | <b>Sheltering Arms Weatherization Assistance Program</b>         |
| <b>Location of SEP:</b>       | <b>Harris County</b>   |

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP offset amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

a. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **The Sheltering Arms** to be used for the Sheltering Arms Weatherization Assistance Program as set forth in the Agreement between the Third-Party Recipient and TCEQ. The SEP offset amount shall be used to perform energy efficiency upgrades on low-income homes in Harris County. Specifically, the SEP offset amount may only be used for: 1) purchase and installation of compact fluorescent light bulbs; 2) the incremental cost of replacement of energy-inefficient fans and refrigerators with energy-efficient models; 3) the incremental cost of replacement of energy-inefficient washers and dryers with energy-efficient models; 4) sheetrock repairs to sustain and protect new attic insulation; 5) floor repairs to prevent air leaks; 6) repairs to patches made to sheetrock during the addition of all new insulation; and 7) other direct costs authorized in advance by TCEQ.

The SEP offset amount shall not be used to perform weatherization inspections and generate computerized audits for the proposed weatherization work where Federal Weatherization Assistance Program ("WAP") and Federal Low Income Home Energy Assistance Funds ("LIHEAP") are available. WAP and LIHEAP funds are currently limited to \$4,000 per house by regulation. The WAP and LIHEAP funds will also be used for 1) replacement of stoves, space heaters, and water heaters that leak carbon monoxide; 2) purchase and installation of carbon monoxide detectors; 3) replacement of central air conditioning systems and window units; 4) addition of wall and attic insulation; 5) caulking and weather-stripping; 6) replacement of window panels; 7) addition of solar screens; 8) new windows and doors. The SEP Offset Amount shall be used to enhance the proposed weatherization work not covered by the WAP and LIHEAP funds. The results of the weatherization audits along with any proposed modifications and associated budgets and scope of work shall be submitted to TCEQ. The SEP offset amount will be used solely for the direct cost of performing the project and no portion will be spent on administrative costs.

The Respondent certifies that it has no prior commitment to make this contribution to the Third-Party Recipient and that the SEP offset amount is being contributed solely in an effort to settle this enforcement action.

b. Environmental Benefit

Implementation of this project will reduce fuel and electricity usage for heating and cooling and day-to-day living operations. These reductions will reduce emissions of particulate matter, volatile organic carbon compounds, nitrogen oxides, and other pollutants associated with combustion of fuel and generation of electricity.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP offset amount to the Third-Party Recipient and comply with all other provisions of this SEP.

## **2. Performance Schedule**

Within 30 days after the Effective Date of this Agreed Order, the Respondent shall contribute the SEP offset amount to the Third-Party Recipient. The Respondent shall make the contribution check payable to "The Sheltering Arms" and mail a copy of the Agreed Order with the check to:

Equistar Chemicals, LP  
Agreed Order - Attachment A

The Sheltering Arms  
Attention: Lynne Cooke, Vice President  
3838 Aberdeen Way  
Houston, Texas 77025

### **3. Records and Reporting**

Concurrent with the payment of the SEP offset amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP offset amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality  
Enforcement Division  
Attention: SEP Coordinator, MC 219  
P.O. Box 13087  
Austin, Texas 78711-3087

### **4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Offset Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Offset Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087

### **5. Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include

advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

|              |                 |             |                  |             |                |            |
|--------------|-----------------|-------------|------------------|-------------|----------------|------------|
| <b>DATES</b> | <b>Assigned</b> | 10-Oct-2011 | <b>Screening</b> | 18-Oct-2011 | <b>EPA Due</b> | 1-Jul-2012 |
|              | <b>PCW</b>      | 14-Nov-2011 |                  |             |                |            |

## RESPONDENT/FACILITY INFORMATION

|                             |                        |
|-----------------------------|------------------------|
| <b>Respondent</b>           | Equistar Chemicals, LP |
| <b>Reg. Ent. Ref. No.</b>   | RN100542281            |
| <b>Facility/Site Region</b> | 12-Houston             |
| <b>Major/Minor Source</b>   | Major                  |

## CASE INFORMATION

|  |                 |                              |                    |
|--|-----------------|------------------------------|--------------------|
| <b>Enf./Case ID No.</b>                | 42791           | <b>No. of Violations</b>     | 2                  |
| <b>Docket No.</b>                      | 2011-1947-AIR-E | <b>Order Type</b>            | 1660               |
| <b>Media Program(s)</b>                | Air             | <b>Government/Non-Profit</b> | No                 |
| <b>Multi-Media</b>                     |                 | <b>Enf. Coordinator</b>      | James Nolan        |
|  |                 | <b>EC's Team</b>             | Enforcement Team 4 |
| <b>Admin. Penalty \$ Limit Minimum</b> | \$0             | <b>Maximum</b>               | \$10,000           |

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** **Subtotal 1** \$2,600

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** 471.0% Enhancement **Subtotals 2, 3, & 7** \$12,246

Notes: Enhancement for seven agreed orders with denial of liability, one court order containing a denial of liability, two agreed orders without denial of liability, 36 NOV's with same/similar violations, 35 NOV's with dissimilar violations, and Repeat Violator classification. Reduction for 12 Notices of Intent to conduct audits and six Disclosures of Violations.

**Culpability** No 0.0% Enhancement **Subtotal 4** \$0

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5** \$0

**Economic Benefit** 0.0% Enhancement\* **Subtotal 6** \$0

Total EB Amounts \$38  
Approx. Cost of Compliance \$750  
\*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** **Final Subtotal** \$14,846

**OTHER FACTORS AS JUSTICE MAY REQUIRE** 0.0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount** \$14,846

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** \$10,571

**DEFERRAL** 20.0% Reduction **Adjustment** -\$2,114

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

**PAYABLE PENALTY** \$8,457

Screening Date 18-Oct-2011

Docket No. 2011-1947-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 42791

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator James Nolan

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

| Component                     | Number of...   | Enter Number Here | Adjust. |
|-------------------------------|--|-------------------|---------|
| NOVs                          | Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )  | 36                | 180%    |
|                               | Other written NOVs   | 35                | 70%     |
| Orders                        | Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )  | 7                 | 140%    |
|                               | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | 2                 | 50%     |
| Judgments and Consent Decrees | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )                              | 1                 | 30%     |
|                               | Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government  | 0                 | 0%      |
| Convictions                   | Any criminal convictions of this state or the federal government ( <i>number of counts</i> )   | 0                 | 0%      |
| Emissions                     | Chronic excessive emissions events ( <i>number of events</i> )   | 0                 | 0%      |
| Audits                        | Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )     | 12                | -12%    |
|                               | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )  | 6                 | -12%    |
| Please Enter Yes or No        |  |                   |         |
| Other                         | Environmental management systems in place for one year or more   | No                | 0%      |
|                               | Voluntary on-site compliance assessments conducted by the executive director under a special assistance program  | No                | 0%      |
|                               | Participation in a voluntary pollution reduction program   | No                | 0%      |
|                               | Early compliance with, or offer of a product that meets future state or federal government environmental requirements  | No                | 0%      |

Adjustment Percentage (Subtotal 2) 446%

## &gt;&gt; Repeat Violator (Subtotal 3)

Yes

Adjustment Percentage (Subtotal 3) 25%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

## Compliance History Notes

Enhancement for seven agreed orders with denial of liability, one court order containing a denial of liability, two agreed orders without denial of liability, 36 NOVs with same/similar violations, 35 NOVs with dissimilar violations, and Repeat Violator classification. Reduction for 12 Notices of Intent to conduct audits and six Disclosures of Violations.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 471%

Screening Date 18-Oct-2011

Docket No. 2011-1947-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 42791

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator James Nolan

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), New Source Review Permit No. 2128 Special Conditions No. 1, and Tex. Health & Safety Code § 382.085(b)

## Violation Description

Failed to prevent unauthorized emissions during an event that began on June 25, 2011 (Incident No. 156229). Specifically, the Respondent released 298 pounds ("lbs") of butenes and 161 lbs of butadienes from the C4 Recovery Unit Reactor R-309C during the 18 hour event. The event occurred when a flammable mixture ignited inside the Thermal Oxidizer Blower BL-03001. Because the initial notification for the event was not submitted timely and the event could have been foreseen and avoided, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

| Release   | Harm  |          |       |
|-----------|-------|----------|-------|
|           | Major | Moderate | Minor |
| Actual    |       |          | x     |
| Potential |       |          |       |

Percent 25%

## &gt;&gt; Programmatic Matrix

| Falsification | Major | Moderate | Minor |
|---------------|-------|----------|-------|
|               |       |          |       |

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

## Violation Events

Number of Violation Events 1

1 Number of violation days

|                         |              |   |
|-------------------------|--------------|---|
| mark only one with an x | daily        |   |
|                         | weekly       |   |
|                         | monthly      |   |
|                         | quarterly    | x |
|                         | semiannual   |   |
|                         | annual       |   |
|                         | single event |   |

Violation Base Penalty \$2,500

One quarterly event is recommended.

## Good Faith Efforts to Comply

0.0% Reduction

\$0

Before NOV NOV to EDPRP/Settlement Offer

|               |   |               |
|---------------|---|---------------|
| Extraordinary |   |               |
| Ordinary      |   |               |
| N/A           | x | (mark with x) |

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$2,500

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$25

Violation Final Penalty Total \$14,275

This violation Final Assessed Penalty (adjusted for limits) \$10,000

# Economic Benefit Worksheet

**Respondent** Equistar Chemicals, LP  
**Case ID No.** 42791  
**Reg. Ent. Reference No.** RN100542281  
**Media** Air  
**Violation No.** 1

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

## Delayed Costs

|                          |       |             |            |      |      |     |      |
|--------------------------|-------|-------------|------------|------|------|-----|------|
| Equipment                |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Buildings                |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Engineering/construction |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Land                     |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Record Keeping System    |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Training/Sampling        | \$500 | 25-Jun-2011 | 1-Jul-2012 | 1.02 | \$25 | n/a | \$25 |
| Remediation/Disposal     |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Permit Costs             |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0  | n/a | \$0  |

Notes for DELAYED costs

Estimated costs to update and implement training and operating procedures to prevent another occurrence of this type of emissions event. The Date Required is the date the emissions event began and the Final Date is the estimated date of compliance.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$25

Screening Date 18-Oct-2011

Docket No. 2011-1947-AIR-E

PCW

Respondent Equistar Chemicals, LP

Policy Revision 2 (September 2002)

Case ID No. 42791

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100542281

Media [Statute] Air

Enf. Coordinator James Nolan

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health &amp; Safety Code § 382.085(b)

Violation Description

Failed to submit an initial notification for Incident No. 156229 not later than 24 hours after the discovery of an emissions event that began on June 25, 2011 at 10:20 p.m. Specifically, the initial notification was due by 10:20 p.m. on June 26, 2011 but was not submitted until June 28, 2011 at 6:27 p.m., over 24 hours after the incident was discovered.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

| Release   | Harm  |          |       |
|-----------|-------|----------|-------|
|           | Major | Moderate | Minor |
| Actual    |       |          |       |
| Potential |       |          |       |

Percent 0%

## &gt;&gt; Programmatic Matrix

| Falsification | Major | Moderate | Minor |
|---------------|-------|----------|-------|
|               |       |          | x     |

Percent 1%

Matrix Notes

Less than 30% of the rule requirement was not met.

Adjustment \$9,900

\$100

## Violation Events

Number of Violation Events 1

2 Number of violation days

|                            |              |   |
|----------------------------|--------------|---|
| mark only one<br>with an x | daily        |   |
|                            | weekly       |   |
|                            | monthly      |   |
|                            | quarterly    |   |
|                            | semiannual   |   |
|                            | annual       |   |
|                            | single event | x |

Violation Base Penalty \$100

One single event is recommended.

## Good Faith Efforts to Comply

0.0% Reduction

\$0

|               | Before NOV | NOV to EDPRP/Settlement Offer |
|---------------|------------|-------------------------------|
|               |            |                               |
| Extraordinary |            |                               |
| Ordinary      |            |                               |
| N/A           | x          | (mark with x)                 |

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$100

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$13

Violation Final Penalty Total \$571

This violation Final Assessed Penalty (adjusted for limits) \$571

# Economic Benefit Worksheet

**Respondent** Equistar Chemicals, LP  
**Case ID No.** 42791  
**Reg. Ent. Reference No.** RN100542281  
**Media** Air  
**Violation No.** 2

| Percent Interest | Years of Depreciation |
|------------------|-----------------------|
| 5.0              | 15                    |

| Item Description | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
| No commas or \$  |           |               |            |     |                |               |           |

## Delayed Costs

|                          |       |             |            |      |      |     |      |
|--------------------------|-------|-------------|------------|------|------|-----|------|
| Equipment                |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Buildings                |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Engineering/construction |       |             |            | 0.00 | \$0  | \$0 | \$0  |
| Land                     |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Record Keeping System    | \$250 | 26-Jun-2011 | 1-Jul-2012 | 1.02 | \$13 | n/a | \$13 |
| Training/Sampling        |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Remediation/Disposal     |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Permit Costs             |       |             |            | 0.00 | \$0  | n/a | \$0  |
| Other (as needed)        |       |             |            | 0.00 | \$0  | n/a | \$0  |

Notes for DELAYED costs

Estimated cost for improving the training procedures for the recordkeeping/reporting system for timely submittals of emissions event reports. The Date Required is the date the report was due and the Final Date is the estimated date of compliance.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

|                               |  |  |  |      |     |     |     |
|-------------------------------|--|--|--|------|-----|-----|-----|
| Disposal                      |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Personnel                     |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Supplies/equipment            |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Financial Assurance [2]       |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3]    |  |  |  | 0.00 | \$0 | \$0 | \$0 |
| Other (as needed)             |  |  |  | 0.00 | \$0 | \$0 | \$0 |

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$13

## Compliance History

|                                     |                                |                                  |                         |                   |
|-------------------------------------|--------------------------------|----------------------------------|-------------------------|-------------------|
| Customer/Respondent/Owner-Operator: | CN600124705                    | Equistar Chemicals, LP           | Classification: AVERAGE | Rating: 4.86      |
| Regulated Entity:                   | RN100542281                    | CHANNELVIEW COMPLEX              | Classification: AVERAGE | Site Rating: 9.83 |
| ID Number(s):                       | AIR OPERATING PERMITS          | ACCOUNT NUMBER                   | HG0033B                 |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 1426                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2174                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2175                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2176                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2177                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2178                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2179                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2180                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2181                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2182                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2183                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2184                    |                   |
|                                     | AIR OPERATING PERMITS          | PERMIT                           | 2185                    |                   |
|                                     | POLLUTION PREVENTION PLANNING  | ID NUMBER                        | P00405                  |                   |
|                                     | INDUSTRIAL AND HAZARDOUS WASTE | EPA ID                           | TXD058275769            |                   |
|                                     | INDUSTRIAL AND HAZARDOUS WASTE | SOLID WASTE REGISTRATION # (SWR) | 30030                   |                   |
|                                     | INDUSTRIAL AND HAZARDOUS WASTE | PERMIT                           | 50117                   |                   |
|                                     | WASTEWATER                     | PERMIT                           | WQ0000391000            |                   |
|                                     | WASTEWATER                     | EPA ID                           | TX0003531               |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 93432                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 93977                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 1768                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 2128                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 2933                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 2936                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 3130A                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 3294                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 6245                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 6387                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 8125                    |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 10586                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 10700                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 10812                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 11735                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 12334                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 13849                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 15348                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 12341                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 22779                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 23079                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 24677                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | PERMIT                           | 24887                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 30868                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 32136                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 32629                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 33899                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 34897                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 42948                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 47487                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 50141                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 50142                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 50165                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | ACCOUNT NUMBER                   | HG0033B                 |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 52720                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 54098                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 88680                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 76017                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 75881                   |                   |
|                                     | AIR NEW SOURCE PERMITS         | REGISTRATION                     | 76313                   |                   |

|                        |              |            |
|------------------------|--------------|------------|
| AIR NEW SOURCE PERMITS | AFS NUM      | 4820100075 |
| AIR NEW SOURCE PERMITS | PERMIT       | 49120      |
| AIR NEW SOURCE PERMITS | PERMIT       | 49130      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74110      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 73859      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72948      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 72946      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74051      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74563      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74181      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74944      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 74949      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76778      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76791      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77318      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77619      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77640      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 76693      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78024      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78069      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78128      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78108      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 77631      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78278      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78343      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78191      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78252      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78560      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78173      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78197      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78772      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78381      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78819      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79261      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79431      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 79460      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78599      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 78978      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80296      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80137      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80914      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80689      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 80597      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81543      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81190      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81189      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81759      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81636      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81630      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82226      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81716      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 81930      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 82538      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84818      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 90128      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 95323      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 90882      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 87006      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 95981      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84079      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84091      |
| AIR NEW SOURCE PERMITS | PERMIT       | 83799      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84183      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84715      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84149      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84502      |
| AIR NEW SOURCE PERMITS | REGISTRATION | 84076      |



|                               |                                  |           |
|-------------------------------|----------------------------------|-----------|
| AIR NEW SOURCE PERMITS        | REGISTRATION                     | 84651     |
| AIR NEW SOURCE PERMITS        | REGISTRATION                     | 84381     |
| AIR NEW SOURCE PERMITS        | REGISTRATION                     | 85308     |
| AIR NEW SOURCE PERMITS        | EPA ID                           | N142      |
| AIR NEW SOURCE PERMITS        | EPA ID                           | PSDTX1270 |
| AIR NEW SOURCE PERMITS        | REGISTRATION                     | 98423     |
| AIR NEW SOURCE PERMITS        | EPA ID                           | N140      |
| AIR NEW SOURCE PERMITS        | EPA ID                           | PSDTX1272 |
| AIR NEW SOURCE PERMITS        | REGISTRATION                     | 98647     |
| AIR NEW SOURCE PERMITS        | REGISTRATION                     | 96384     |
| UNDERGROUND INJECTION CONTROL | PERMIT                           | WDW036    |
| PUBLIC WATER SYSTEM/SUPPLY    | REGISTRATION                     | 1011578   |
| WATER LICENSING               | LICENSE                          | 1011578   |
| IHW CORRECTIVE ACTION         | SOLID WASTE REGISTRATION # (SWR) | 30030     |
| AIR EMISSIONS INVENTORY       | ACCOUNT NUMBER                   | HG0033B   |

Location:

8280 SHELDON RD, CHANNELVIEW, TX, 77530

TCEQ Region:

REGION 12 - HOUSTON

Date Compliance History Prepared:

October 18, 2011

Agency Decision Requiring Compliance History:

Enforcement

Compliance Period:

October 18, 2006 to October 18, 2011

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:

James Nolan

Phone:

(512) 239-6634

### Site Compliance History Components

- Has the site been in existence and/or operation for the full five year compliance period? Yes
- Has there been a (known) change in ownership/operator of the site during the compliance period? No
- If Yes, who is the current owner/operator? N/A
- If Yes, who was/were the prior owner(s)/operator(s)? N/A
- When did the change(s) in owner or operator occur? N/A
- Rating Date: 9/1/2011 Repeat Violator: YES

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 12/02/2006

ADMINORDER 2006-0515-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: S.C. 1 PERMIT

Description: Failure to prevent the release of unauthorized emissions from an aboveground storage tank pressure safety valve.

Effective Date: 05/22/2008

ADMINORDER 2007-1230-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit # 2128 SC 1 PA

Description: As evidenced by Findings of Fact No. 3, Equistar failed to prevent unauthorized emissions during an April 4, 2007 emissions event, in violation of Air Permit No. 2128, Special Condition No. 1, 30 TEX. ADMIN. CODE § 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were avoidable, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(1)

30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: TCEQ Air Permit #2933, SC#1 PA

Description: As evidenced by Findings of Fact No. 4, Equistar failed to prevent unauthorized emissions during a January 8, 2007 emissions event, in violation of Air Permit No. 2933, Special Condition No. 1, 30

TEX. ADMIN. CODE §§ 115.722(c)(1) and 116.115(c), and TEX. HEALTH & SAFETY CODE § 382.085(b). Since these emissions were unauthorized, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.

Effective Date: 06/19/2008

ADMINORDER 2007-0493-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02177 SC 10 OP  
FOP O-02177 SC 1A OP

NSR 22779 SC 8(E) PA

Description: Failed to cap 4 open-ended lines.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02177 SC 10 OP  
FOP O-02177 SC 1A OP

NSR 22779 SC 6(A) PA

Description: Failed to operate flare within required heat input of 300 Btu/scf.

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.726(d)(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02177 SC 1.J(ii) OP

Description: Failed to report corrective actions within the required time frame.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-01277 SC 1.J(ii) OP

Description: Failed to calibrate the Poly Butadiene unit flare analyzer.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.121  
5C THC Chapter 382, SubChapter D 382.085(b)

5C THSC Chapter 382 382.054

Description: Failed to obtain authorization for emissions sources and their associated emissions prior to operation.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02177 SC 10 OP  
NSR 49120 SC 1 PA

Description: Failed to comply with permitted emissions limits.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.136(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02177 SC 1A OP

Description: Failed to maintain sufficient records to demonstrate continuous compliance with VOC water separator exemption criteria.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02177 SC 10 OP  
FOP O-02177 SC 1A OP

NSR 22779 SC 8(I) PA

Description: The Respondent failed to repair a leaking valve during a scheduled shutdown.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.127(b)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 1A OP

Description: Failed to use a continuous monitoring recorder on the Methanol Skid (ECULR2MEOH).

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.244  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 6C(iv) OP

Description: Failed to perform daily inspections of the fuel dispensing facilities.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.212(a)(3)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 6B(ii) OP  
FOP O-02181 SC1A OP

Description: Failed to provide proper emissions control for waste material.

Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.206(i)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 7A OP  
FOP O-02181 SC1A OP

Description: Failed to comply with restrictions on engine operating hours in an ozone nonattainment area.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.219(f)(10)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 1A OP  
FOP O-02181 SC 7E OP

Description: Failure to record the start and stop times of diesel pump.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.144(4)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 1A OP

Description: Failed to demonstrate VOC reduction efficiency for the ECUABEAST bio-treatment unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to timely conduct flare analyzer calibrations.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.10(d)(5)(i)

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to comply with the requirements of malfunction reporting for the wastewater steam stripper (EUTT8802).

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)

30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02181 SC 1A OP  
FOP O-02181 SC 22 OP

NSR 2128 SC 8(E) PA

Description: Failed to equip open ended lines with a cap, blind flange, plug, or a second valve.

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Terms and Conditions OP

Description: Failed to include PBR claims in a FOP.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02178 SC 10 OP  
FOP O-02178 SC 1A OP

NSR 24677 SC 1 PA

Description: Exceeded permitted emissions limits from tank TK-2810.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02178 SC 10 OP  
NSR 24677 SC 11F PA

NSR 24677 SC 13 PA

Description: Failed to install rupture disc and pressure gauges on three safety relief valves (EPM F28E00) in the Styrene Maleic Anhydride unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: STC 10 OP

Description: Failed to accurately represent operating temperatures for tote EPN 28E37 in the permit representations.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP -02178 SC 10 OP  
NSR 24677 SC 9C PA

Description: Failed to perform closed loop cumene sampling.

Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter B 117.213(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02178 SC 1A OP

Description: Failed to maintain continuous records of fuel flow for Heater MSMHT2801B.

Classification: Minor

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: FOP O-02178 SC 3 OP

Description: Failed to prevent visible emissions from Dust Collector EPN28E29.

Effective Date: 10/01/2008

COURTORDER

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

Description: Failure to control emissions from cooling towers OP1, OP2, and East Plant under MAERT limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Description: Failure to properly define for cooling towers OP1 and OP2, VOC in the exhaust air from the air stripping system(either ppmv or lb/VOC/gal) at which a leak into cooling water will be assumed.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.6(a)(1)(A)

Description: Failure to report upset emissions of benzene from cooling towers.

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter A 335.2  
30 TAC Chapter 335, SubChapter B 335.43

Description: Unauthorized discharges into the East basin were noted

Classification: Moderate

Citation: 5C THC Chapter 382, SubChapter A 382.085(a)

Description: Failed to prevent unauthorized emissions of 4,380 pounds (lbs) of unspecified volatile organic compounds (VOCs), 1,511 lbs of butadiene, and 1,095 lbs of butene during an emissions event on September 1, 2003 that lasted three minutes.

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to report all individually listed compounds or mixtures of air contaminants in an emissions event notification. Specifically, VOCs were not speciated.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the unauthorized release of 173 pounds (lbs) of volatile organic compounds (VOCs), including 30 lbs of Highly Reactive VOCs from the Condensate Pot (D-3655) during an emissions event that began on April 21, 2004 and lasted for 170 hours and 45 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that began on July 14, 2004. Specifically, Equistar failed to identify the common name of the facility which incurred the emissions event in the Initial Notification.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: General Condition No. 8 PERMIT

Description: Failed to comply with permitted emission limits during an emissions event that began on July 14, 2004 and lasted for three hours and 30 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the unauthorized release of 6,100 pounds of propylene from the Propylene Product Drum (D-4687) during an emissions event that began on June 23, 2004 and lasted for two hours.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent the unauthorized release of 340 lbs of propylene and 17 lbs of propane from a pressure relief valve in Exchanger E-36232 during an emissions event that began on July 14, 2004 and lasted for 3,057 hours.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly notify the TCEQ of an emissions event that began on July 22, 2004. Specifically, Equistar failed to speciate VOCs in the Initial Notification and Final Report.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 1768, General Condition No. 8 PERMIT  
Permit No. 2936, Special Condition No. 1 PERMIT

Description: Failed to comply with permitted emission limits during an emissions event that began on July 22, 2004 and lasted for 200 hours.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 2128, GC No. 8 PERMIT

Description: Failed to prevent a unauthorized emissions of 990 pounds ("lbs") of 1,3 butadiene during an avoidable emissions event that occurred on November 23, 2004 and lasted three minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Permit #1768, GC #8 PERMIT

Description: Failed to prevent unauthorized emissions of 119.35 pounds (lbs) of benzene and 154.69 lbs of volatile organic compounds during an emissions event that occurred on April 1, 2005 and lasted 200 hours and 30 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Permit #6387, GC #8 PERMIT

Description: Failed to prevent unauthorized emissions of 25 pounds (lbs) of 1,3-butadiene, 603 lbs of N-butane, 1,756 lbs of butene, 155 lbs of isobutane, and 7 lbs of propylene during an emissions event that occurred on May 24, 2005 and lasted 2 hours. These emissions are not permitted. Since this emissions event was avoidable

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 24887, GC #8 PERMIT

Description: Failed to prevent a unauthorized emissions of 1,532 lbs of propylene and 10 lbs of isobutane during an avoidable emissions event that occurred on July 1, 2004 and lasted 4 hours and 54 minutes.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 113, SubChapter C 113.130  
  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 2 PERMIT

Description: Failed to properly seal the end of a lines containing volatile organic compounds ("VOCs") and hazardous air pollutants ("HAPs"). Specifically, VOC and HAP concentrations detected from 10 plugs in the Methyl Tertiary Butyl Ether ("MTBE") and Butadiene ("C4 Recovery") units.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 113, SubChapter C 113.130  
  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Special Condition 10E PERMIT  
Special Condition 1E PERMIT

Special Condition 2C PERMIT

Description: Failed to equip each open-ended line or valve with a cap, blind flange, plug, or second valve. Specifically, two valves in the East Tank Farm, one line in the Alkylation Unit, and one line in the C4 Recovery Unit were not equipped with a cap, blind flange, plug, or second valve.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 2128, SC No. 7A PERMIT

Description: Failed to perform monthly monitoring of the East Plant Cooling Tower, Emission Point Number ("EPN") 24E04. Specifically, streams from six headers returning water to the cooling tower to a single monitoring point were combined prior to monitoring, but required to monitor the six headers individually.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 2128, SC No. 7B PERMIT

Description: Failed to maintain an emission rate below the allowable emission limit for EPN 24E04. Specifically, a canister sample was taken at Header Number 2 and results revealed emissions were 6.16 lbs per hour ("lbs/hr"), but the permitted limit is 3.23 lbs/hr.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)

Description: Failed to represent the product and process information properly in the renewal application dated August 2004 for Permit No. 24887. Specifically, alkylates were not separated into C5s, C6s, C8s, C9s, and C10s. The alkylates contain 3 to 6% of isopentane and more than 1,102 tons per year is being produced.

Effective Date: 01/28/2010

ADMINORDER 2008-1085-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 1768, SC#1 PA

Description: the Respondent failed to prevent the Superheaters A and B flow elements from collecting moisture which caused the Superheaters to trip on November 24, 2007, resulting in the release of 2,383 pounds of volatile organic compounds, 2,461 pounds of carbon monoxide, and 278 pounds of nitrogen oxides from the Olefins Plant 1 over a three hour period. Since the emission event was avoidable, the demonstrations for affirmative defense in 30 TEX. ADMIN CODE § 101.222 were not met.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition #1 PERMIT

Description: Failure to prevent leak on the wall of Tank 3112 which resulted in unauthorized emissions.

Effective Date: 03/20/2010

ADMINORDER 2008-1474-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)  
5C THSC Chapter 382 382.085(b)

Description: Failure to conduct Extra Ordinary Effort repair attempts within 14 days.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-2174 General Terms and Conditions OP

Description: LB failed to report all instances of deviations on Deviation Reports.

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02174 STC 21 OP  
NSR 2933 SC 1 PA

Description: Failure to maintain Regenerative Vent R-4360A emissions within the MAERT.

Effective Date: 07/11/2010

ADMINORDER 2009-1593-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition (SC) #1A OP

Description: Failed to equip the gauge float wells with bolts or fasteners on the covers of the roof openings of Tanks 3111A, 3111B, and 3113, to ensure that the openings are air tight.

Classification: Moderate



Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: SC #1 PERMIT  
SC #18 OP

Description: Failed to comply with the hourly emission limit of 1.65 lbs/hr for VOCs and 0.14 lbs/hr for 1,3 butadiene intermittently from January 6, 2009 (the date the bankruptcy petition was filed) to present. Specifically, emissions from Regeneration Vent, EPN 3E05, for Reactors R-309 A, R-309 B, and R-309 C, exceeded permitted limits as documented by the results of sampling conducted for six one-hour samples per reactor on December 11 through 12, 2005 and December 31, 2005 and an update provided on May 2

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 6387, Special Condition #3 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 6,876 lbs of VOCs, including 3,414 lbs of HRVOCs, from Vessel D-1217 in the Methyl Tertiary Butyl Ether Unit during an avoidable emissions event (Incident No. 118631) that began January 8, 2009 and lasted one hour and 30 minutes. The emissions were the result of a liquid filled line being isolated on both ends without proper thermal expansion relief and with used gaskets. Since this emissions event could have been

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter H 115.722(c)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions and exceeded the 1,200 lbs per hour ("lbs/hr")

emission limit for HRVOCs. Specifically, the Respondent released 6,133 lbs of VOCs, including 5,611 lbs of HRVOCs, 5,502 lbs of CO, and 642 lbs of NOx from the OP1 Flare, emission point number ("EPN") 38E01, in the Olefins 1 Unit during an avoidable emissions event (Incident No. 118546) that began January 7, 2009 and lasted three hours and 50 minutes. The emissions were the result of the plugging of a tube in

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
5C THSC Chapter 382 382.085(b)

Description: Failed to report the estimated total quantities for the compounds released during Incident No. 118546 in the final emissions event report. Specifically, the Respondent reported only the amount of contaminants that were over the permitted limit, instead of the total amount of contaminants emitted.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 2933, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 967.37 lbs of carbon monoxide ("CO"), 612 lbs of the highly reactive VOC ("HRVOC") ethylene, and 93.2 lbs of nitrogen oxides ("NOx") during an avoidable emissions event (Incident No. 122734) that began April 13, 2009 and lasted six hours. The deethanizer pressure control valve ("DPCV"), PV-46060, failed to control the tower pressure during an acetylene converter upset and operators were not trained to put the DPCV, P

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 2128, Special Condition #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 4,371 pounds ("lbs") of volatile organic compounds ("VOC"), including 1,970 lbs of the Hazardous Air Pollutant ("HAP") 1,3-butadiene from Tank 6 in the East Plant Tank Farm during an avoidable emissions event (Incident No. 125702) that began June 17, 2009 and lasted four minutes. A two inch vent nozzle became plugged resulting in an increase in pressure in Tank 6. The Respondent was unable to detect the rise in press

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)  
5C THSC Chapter 382 382.085(b)

Description: Failed to submit an administratively complete and accurate final report for Incident No. 125702. Specifically, the final report submitted on June 30, 2009 did not include the permit number for the facility that experienced the upset.

Effective Date: 08/09/2010

ADMINORDER 2009-0263-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085

Rqmt Prov: 1768/SC # 1 PERMIT

Description: Failed to comply with the carbon monoxide ("CO") emission limit of 0.05 pounds per hour ("lbs/hr") and the nitrogen oxide ("NOx") emission limit of 6.1 lbs/hr for the Atlas Copco Air Compressor (EPN OP1EN1), in violation of 30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b) and Permit No. 1768, Special Condition No. 1, as documented during a record review conducted on January 21, 2009. Specifically, a reference method stack test conducted on December 18, 2007 yielded res

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: TCEQ Permit No. 1768, SC #1 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, the Respondent released 5,197.3 lbs of VOC, including the following HAPs: 294.3 lbs of 1,3-butadiene, 272.6 lbs of benzene, 122.5 lbs of hexane and 30.4 lbs of toluene and the following HRVOCs: 422.8 lbs of butene, 2,097.5 lbs of ethylene and 1,351.9 lbs of propylene from the C-3501B piping in the Olefins 1 Unit during an avoidable emissions event that began Decemeber 4, 2008 and lasted 12 hours and 45 minutes. The emissions were the result

Effective Date: 02/05/2011

ADMINORDER 2010-0243-IHW-E

Classification: Major

Citation: 30 TAC Chapter 335, SubChapter C 335.69(b)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(b)

Description: Failed to prevent the accumulation of hazardous waste for more than 90 days without authorization. Specifically, analytical results dated March 31, 2005 indicated that stormwater in tank nos. TK-2303A, TK-2310A and TK-2310B, exceeded the toxicity characteristic for lead of 5.0 milligrams per liter. These tanks are part of the IPOH Unit which, according to the Respondent, was taken out-of

service in the early 1990s. Per 40 CFR § 261.4(c), hazardous waste began accumulating in the tanks on Marc

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Description: Failed to update the Facility's NOR to accurately reflect waste management activities. Specifically, the following waste management activities needed to be added to the NOR: waste stream for wastewaters generated from the manufacturing process; waste streams for wastes stored in tanks nos. TK-2303A and B, and TK-2310A and B; and tanks nos. TK-2303A and B, and TK-2310A and B as waste management units.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.4  
30 TAC Chapter 335, SubChapter A 335.8(b)

40 CFR Chapter 265, SubChapter I, PT 265, SubPT J 265.197

Description: Failed to prevent the unauthorized discharge of industrial solid waste adjacent to waters in the state and to perform closure of waste management facilities from which an unauthorized discharge has occurred, in violation of 30 TEX. ADMIN. CODE §§ 335.4 and 335.8(b) and 40 CFR § 265.197, as documented during an investigation conducted on August 3, 2009. Specifically, the investigator observed liquid leaking onto a concrete pad which served as secondary containment for tank nos. TK-2303A and B and

Effective Date: 05/08/2011

ADMINORDER 2010-0335-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: No. 2933, Special Condition #1 PERMIT

Description: Failure to prevent unauthorized emissions; specifically, Equistar failed to maintain the butene flow and the Motor Operated Valve feed to the reactor.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

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|----|------------|----------|
| 1  | 02/22/2007 | (485046) |
| 2  | 11/21/2006 | (516667) |
| 3  | 01/31/2007 | (517108) |
| 4  | 12/11/2006 | (519152) |
| 5  | 11/30/2006 | (531615) |
| 6  | 03/21/2007 | (532595) |
| 7  | 02/27/2007 | (532597) |
| 8  | 04/05/2007 | (532607) |
| 9  | 04/10/2007 | (532608) |
| 10 | 12/29/2006 | (535494) |
| 11 | 01/31/2007 | (537091) |
| 12 | 01/31/2007 | (537099) |
| 13 | 01/31/2007 | (537102) |
| 14 | 01/30/2007 | (538091) |
| 15 | 02/08/2007 | (538420) |
| 16 | 04/23/2007 | (539454) |
| 17 | 04/12/2007 | (541831) |
| 18 | 08/24/2007 | (543303) |
| 19 | 08/24/2007 | (543306) |
| 20 | 07/30/2007 | (543338) |
| 21 | 08/03/2007 | (543345) |
| 22 | 10/24/2006 | (544282) |
| 23 | 11/27/2006 | (544283) |

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| 24 | 12/19/2006 | (544284) |
| 25 | 01/23/2007 | (544285) |
| 26 | 04/12/2007 | (554839) |
| 27 | 07/18/2007 | (556815) |
| 28 | 06/27/2007 | (560042) |
| 29 | 08/09/2007 | (562982) |
| 30 | 08/10/2007 | (562990) |
| 31 | 08/09/2007 | (563012) |
| 32 | 08/10/2007 | (563023) |
| 33 | 09/28/2007 | (563816) |
| 34 | 08/20/2007 | (564294) |
| 35 | 08/20/2007 | (564331) |
| 36 | 08/20/2007 | (564360) |
| 37 | 09/28/2007 | (564856) |
| 38 | 09/28/2007 | (564932) |
| 39 | 08/10/2007 | (564946) |
| 40 | 10/04/2007 | (565773) |
| 41 | 10/10/2007 | (565969) |
| 42 | 09/28/2007 | (566320) |
| 43 | 10/10/2007 | (566558) |
| 44 | 07/18/2007 | (566602) |
| 45 | 10/10/2007 | (566616) |
| 46 | 07/24/2007 | (567353) |
| 47 | 12/07/2007 | (568047) |
| 48 | 12/07/2007 | (568066) |
| 49 | 12/07/2007 | (568076) |
| 50 | 12/07/2007 | (568153) |
| 51 | 12/07/2007 | (568347) |
| 52 | 12/07/2007 | (568368) |
| 53 | 08/06/2007 | (568530) |
| 54 | 08/06/2007 | (568542) |
| 55 | 11/26/2007 | (570252) |
| 56 | 11/26/2007 | (570313) |
| 57 | 11/26/2007 | (570316) |
| 58 | 11/26/2007 | (570346) |
| 59 | 11/26/2007 | (570400) |
| 60 | 08/23/2007 | (571675) |
| 61 | 10/12/2007 | (571938) |
| 62 | 10/15/2007 | (572176) |
| 63 | 10/12/2007 | (572220) |
| 64 | 10/12/2007 | (572252) |
| 65 | 10/12/2007 | (572267) |
| 66 | 10/12/2007 | (572362) |
| 67 | 10/12/2007 | (572404) |
| 68 | 02/22/2007 | (574936) |
| 69 | 03/23/2007 | (574937) |
| 70 | 04/23/2007 | (574938) |
| 71 | 05/23/2007 | (574939) |
| 72 | 06/25/2007 | (574940) |

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| 73  | 07/28/2007 | (574941) |
| 74  | 04/18/2007 | (593172) |
| 75  | 10/16/2007 | (593759) |
| 76  | 11/19/2007 | (594272) |
| 77  | 01/02/2008 | (595848) |
| 78  | 03/06/2008 | (596061) |
| 79  | 11/28/2007 | (596225) |
| 80  | 01/03/2008 | (599518) |
| 81  | 01/02/2008 | (599541) |
| 82  | 01/03/2008 | (599950) |
| 83  | 01/08/2008 | (600740) |
| 84  | 01/10/2008 | (600765) |
| 85  | 08/06/2007 | (607498) |
| 86  | 08/22/2007 | (607499) |
| 87  | 09/24/2007 | (607500) |
| 88  | 12/17/2007 | (608808) |
| 89  | 06/16/2008 | (610615) |
| 90  | 08/11/2008 | (610620) |
| 91  | 04/04/2008 | (610663) |
| 92  | 05/02/2008 | (610690) |
| 93  | 03/06/2008 | (610691) |
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| 96  | 01/10/2008 | (613652) |
| 97  | 01/23/2008 | (614499) |
| 98  | 02/15/2008 | (615597) |
| 99  | 01/28/2008 | (615871) |
| 100 | 01/25/2008 | (615980) |
| 101 | 03/19/2008 | (616201) |
| 102 | 03/19/2008 | (616236) |
| 103 | 01/28/2008 | (616242) |
| 104 | 03/19/2008 | (616259) |
| 105 | 04/10/2008 | (616840) |
| 106 | 10/23/2007 | (619405) |
| 107 | 11/19/2007 | (619406) |
| 108 | 12/27/2007 | (619407) |
| 109 | 07/03/2008 | (636094) |
| 110 | 06/17/2008 | (636281) |
| 111 | 08/11/2008 | (637040) |
| 112 | 04/24/2008 | (637133) |
| 113 | 03/26/2008 | (637649) |
| 114 | 08/27/2008 | (638212) |
| 115 | 05/06/2008 | (638391) |
| 116 | 05/06/2008 | (638445) |
| 117 | 05/06/2008 | (638471) |
| 118 | 05/08/2008 | (638556) |
| 119 | 05/23/2008 | (639094) |
| 120 | 05/16/2008 | (639245) |
| 121 | 05/16/2008 | (639472) |
| 122 | 04/29/2008 | (641446) |

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| 123 | 11/24/2008 | (654539) |
| 124 | 07/07/2008 | (654572) |
| 125 | 12/05/2008 | (654812) |
| 126 | 12/05/2008 | (654846) |
| 127 | 12/05/2008 | (654874) |
| 128 | 02/13/2009 | (657092) |
| 129 | 02/25/2008 | (671910) |
| 130 | 03/20/2008 | (671911) |
| 131 | 01/22/2008 | (671912) |
| 132 | 10/17/2008 | (679974) |
| 133 | 10/17/2008 | (680354) |
| 134 | 10/23/2008 | (680427) |
| 135 | 10/23/2008 | (681178) |
| 136 | 09/08/2008 | (681362) |
| 137 | 08/29/2008 | (681367) |
| 138 | 07/03/2008 | (681436) |
| 139 | 08/01/2008 | (681437) |
| 140 | 07/18/2008 | (681438) |
| 141 | 04/23/2010 | (681746) |
| 142 | 06/06/2008 | (682324) |
| 143 | 08/13/2008 | (682388) |
| 144 | 10/22/2008 | (682983) |
| 145 | 12/11/2008 | (683007) |
| 146 | 02/12/2009 | (683026) |
| 147 | 07/09/2008 | (683399) |
| 148 | 12/17/2008 | (685609) |
| 149 | 07/10/2008 | (685750) |
| 150 | 10/28/2008 | (685998) |
| 151 | 10/29/2008 | (686367) |
| 152 | 10/29/2008 | (686377) |
| 153 | 10/29/2008 | (686382) |
| 154 | 12/15/2008 | (686398) |
| 155 | 12/15/2008 | (686403) |
| 156 | 12/15/2008 | (686411) |
| 157 | 12/15/2008 | (686444) |
| 158 | 10/31/2008 | (686446) |
| 159 | 10/15/2008 | (686481) |
| 160 | 10/15/2008 | (686491) |
| 161 | 12/15/2008 | (686496) |
| 162 | 12/15/2008 | (686500) |
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| 164 | 07/30/2008 | (687221) |
| 165 | 10/29/2008 | (687350) |
| 166 | 10/27/2008 | (687534) |
| 167 | 08/15/2008 | (689619) |

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| 168 | 04/22/2008 | (689830) |
| 169 | 05/22/2008 | (689831) |
| 170 | 06/24/2008 | (689832) |
| 171 | 12/04/2008 | (700744) |
| 172 | 11/07/2008 | (701030) |

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| 173 | 07/09/2009 | (701940) |
| 174 | 12/04/2008 | (702100) |
| 175 | 10/13/2008 | (704398) |
| 176 | 11/20/2008 | (704732) |
| 177 | 11/20/2008 | (704907) |
| 178 | 10/29/2008 | (705305) |
| 179 | 05/26/2009 | (705763) |
| 180 | 11/21/2008 | (706552) |
| 181 | 05/01/2009 | (707130) |
| 182 | 12/05/2008 | (707275) |
| 183 | 11/25/2008 | (707993) |
| 184 | 02/18/2010 | (709462) |
| 185 | 01/16/2009 | (709781) |
| 186 | 12/17/2008 | (710007) |
| 187 | 12/16/2008 | (710038) |
| 188 | 07/22/2008 | (710592) |
| 189 | 08/25/2008 | (710593) |
| 190 | 01/16/2009 | (721214) |
| 191 | 01/09/2009 | (721591) |
| 192 | 02/03/2009 | (722705) |
| 193 | 02/16/2009 | (724818) |
| 194 | 02/26/2009 | (725940) |
| 195 | 02/16/2009 | (725983) |
| 196 | 02/16/2009 | (726007) |
| 197 | 02/16/2009 | (726040) |
| 198 | 02/16/2009 | (726571) |
| 199 | 02/10/2009 | (726755) |
| 200 | 02/17/2009 | (726783) |
| 201 | 02/16/2009 | (726949) |
| 202 | 10/22/2008 | (727384) |
| 203 | 11/24/2008 | (727385) |
| 204 | 12/22/2008 | (727386) |
| 205 | 03/31/2009 | (735618) |
| 206 | 04/22/2009 | (736328) |
| 207 | 04/28/2009 | (737713) |
| 208 | 04/09/2009 | (738272) |
| 209 | 04/13/2009 | (738348) |
| 210 | 04/13/2009 | (738352) |
| 211 | 04/06/2009 | (738472) |
| 212 | 04/13/2009 | (738805) |
| 213 | 05/04/2009 | (738986) |
| 214 | 04/17/2009 | (740559) |
| 215 | 04/30/2009 | (740883) |

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| 216 | 07/21/2009 | (741126) |
| 217 | 06/29/2009 | (741269) |
| 218 | 06/24/2009 | (741317) |
| 219 | 07/17/2009 | (741607) |
| 220 | 05/04/2009 | (741949) |
| 221 | 05/04/2009 | (741983) |
| 222 | 05/04/2009 | (741994) |

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| 223 | 05/15/2009 | (742125) |
| 224 | 05/14/2009 | (742317) |
| 225 | 05/14/2009 | (742327) |
| 226 | 05/15/2009 | (742826) |
| 227 | 06/24/2009 | (744476) |
| 228 | 06/24/2009 | (744489) |
| 229 | 07/02/2009 | (744588) |
| 230 | 06/29/2009 | (744624) |
| 231 | 07/07/2009 | (744818) |
| 232 | 07/02/2009 | (745599) |
| 233 | 07/02/2009 | (745661) |
| 234 | 07/08/2009 | (745749) |
| 235 | 07/08/2009 | (745772) |
| 236 | 07/08/2009 | (745783) |
| 237 | 07/06/2009 | (745792) |
| 238 | 07/02/2009 | (745805) |
| 239 | 07/14/2009 | (746327) |
| 240 | 07/14/2009 | (746862) |
| 241 | 07/15/2009 | (746896) |
| 242 | 08/17/2009 | (747005) |
| 243 | 07/15/2009 | (747036) |
| 244 | 07/03/2009 | (747361) |
| 245 | 08/31/2009 | (747366) |
| 246 | 08/06/2009 | (747389) |
| 247 | 07/15/2009 | (747403) |
| 248 | 08/11/2009 | (747513) |
| 249 | 08/25/2009 | (747519) |
| 250 | 06/24/2009 | (748352) |
| 251 | 07/17/2009 | (748489) |
| 252 | 07/16/2009 | (748500) |
| 253 | 07/17/2009 | (748521) |
| 254 | 07/15/2009 | (748537) |
| 255 | 07/21/2009 | (748906) |
| 256 | 08/10/2009 | (749006) |
| 257 | 08/10/2009 | (749069) |
| 258 | 06/17/2009 | (749322) |
| 259 | 06/18/2009 | (749474) |
| 260 | 10/09/2009 | (749624) |
| 261 | 09/02/2009 | (749680) |
| 262 | 02/24/2009 | (750125) |
| 263 | 03/23/2009 | (750126) |

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| 264 | 01/22/2009 | (750128) |
| 265 | 08/07/2009 | (759876) |
| 266 | 09/04/2009 | (760698) |
| 267 | 09/28/2009 | (760699) |
| 268 | 09/23/2009 | (761038) |
| 269 | 09/02/2009 | (761345) |
| 270 | 07/17/2009 | (761599) |
| 271 | 09/18/2009 | (763300) |
| 272 | 09/28/2009 | (763305) |



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| 273 | 09/29/2009 | (763519) |
| 274 | 08/12/2009 | (763679) |
| 275 | 08/13/2009 | (763750) |
| 276 | 10/15/2009 | (764037) |
| 277 | 09/29/2009 | (764060) |
| 278 | 10/15/2009 | (764168) |
| 279 | 09/15/2009 | (764199) |
| 280 | 08/19/2009 | (764588) |
| 281 | 08/13/2009 | (765694) |
| 282 | 10/06/2009 | (765952) |
| 283 | 10/08/2009 | (766727) |
| 284 | 10/08/2009 | (766753) |
| 285 | 04/22/2009 | (768262) |
| 286 | 05/22/2009 | (768263) |
| 287 | 09/18/2009 | (776092) |
| 288 | 01/05/2010 | (778225) |
| 289 | 01/05/2010 | (778273) |
| 290 | 01/05/2010 | (778503) |
| 291 | 11/30/2009 | (778813) |
| 292 | 11/30/2009 | (778821) |
| 293 | 11/30/2009 | (778834) |
| 294 | 01/05/2010 | (779681) |
| 295 | 04/23/2010 | (779727) |
| 296 | 10/26/2009 | (779986) |
| 297 | 03/09/2010 | (781119) |
| 298 | 11/19/2009 | (782624) |
| 299 | 01/28/2010 | (784795) |
| 300 | 03/10/2010 | (784797) |
| 301 | 04/29/2010 | (784876) |
| 302 | 02/02/2010 | (784880) |
| 303 | 08/18/2010 | (784890) |
| 304 | 04/06/2010 | (784892) |
| 305 | 02/17/2010 | (785207) |
| 306 | 03/17/2010 | (785834) |
| 307 | 02/18/2010 | (785885) |
| 308 | 01/04/2010 | (786397) |
| 309 | 01/22/2010 | (786477) |
| 310 | 01/21/2010 | (786504) |
| 311 | 12/23/2009 | (786567) |

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| 312 | 11/18/2010 | (789011) |
| 313 | 02/24/2010 | (789730) |
| 314 | 05/11/2010 | (789904) |
| 315 | 02/23/2010 | (790158) |
| 316 | 02/25/2010 | (790175) |
| 317 | 02/10/2010 | (791001) |
| 318 | 02/23/2010 | (792035) |
| 319 | 04/16/2010 | (792383) |
| 320 | 04/23/2010 | (792539) |
| 321 | 04/16/2010 | (792540) |
| 322 | 04/19/2010 | (792541) |

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| 323 | 05/18/2010 | (794018) |
| 324 | 06/23/2010 | (794135) |
| 325 | 05/06/2010 | (794255) |
| 326 | 05/12/2010 | (797500) |
| 327 | 04/27/2010 | (797582) |
| 328 | 06/30/2010 | (798858) |
| 329 | 04/23/2010 | (798874) |
| 330 | 06/10/2010 | (798920) |
| 331 | 05/03/2010 | (799413) |
| 332 | 04/23/2010 | (799460) |
| 333 | 04/23/2010 | (799659) |
| 334 | 04/27/2010 | (800104) |
| 335 | 04/27/2010 | (800105) |
| 336 | 04/27/2010 | (800107) |
| 337 | 05/18/2010 | (800543) |
| 338 | 05/20/2010 | (802381) |
| 339 | 05/25/2010 | (802405) |
| 340 | 05/20/2010 | (802497) |
| 341 | 08/19/2010 | (803099) |
| 342 | 05/21/2010 | (803755) |
| 343 | 02/22/2010 | (804327) |
| 344 | 06/22/2009 | (804328) |
| 345 | 07/20/2009 | (804329) |
| 346 | 08/24/2009 | (804330) |
| 347 | 09/22/2009 | (804331) |
| 348 | 10/22/2009 | (804332) |
| 349 | 11/23/2009 | (804333) |
| 350 | 12/21/2009 | (804334) |
| 351 | 01/22/2010 | (804335) |
| 352 | 06/14/2010 | (824353) |
| 353 | 06/17/2010 | (825556) |
| 354 | 07/23/2010 | (826293) |
| 355 | 07/09/2010 | (826626) |
| 356 | 07/02/2010 | (826702) |
| 357 | 07/02/2010 | (826892) |
| 358 | 07/02/2010 | (826911) |
| 359 | 07/02/2010 | (827123) |

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| 360 | 06/25/2010 | (827423) |
| 361 | 07/06/2010 | (827613) |
| 362 | 07/06/2010 | (827627) |
| 363 | 06/28/2010 | (827710) |
| 364 | 06/30/2010 | (828635) |
| 365 | 11/18/2010 | (828667) |
| 366 | 11/10/2010 | (830011) |
| 367 | 03/18/2010 | (830757) |
| 368 | 04/21/2010 | (830758) |
| 369 | 05/24/2010 | (830759) |
| 370 | 07/13/2010 | (841125) |
| 371 | 07/13/2010 | (841139) |
| 372 | 06/21/2010 | (846227) |

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| 373 | 10/20/2010 | (858119) |
| 374 | 10/20/2010 | (858121) |
| 375 | 10/20/2010 | (858122) |
| 376 | 06/02/2011 | (859963) |
| 377 | 11/01/2010 | (860444) |
| 378 | 11/01/2010 | (860451) |
| 379 | 11/01/2010 | (860474) |
| 380 | 09/24/2010 | (864143) |
| 381 | 11/05/2010 | (864798) |
| 382 | 07/13/2010 | (866787) |
| 383 | 08/23/2010 | (866788) |
| 384 | 10/22/2010 | (869961) |
| 385 | 11/09/2010 | (870286) |
| 386 | 11/09/2010 | (870287) |
| 387 | 11/09/2010 | (870288) |
| 388 | 11/09/2010 | (870500) |
| 389 | 11/17/2010 | (871855) |
| 390 | 11/10/2010 | (871859) |
| 391 | 11/04/2010 | (872083) |
| 392 | 11/05/2010 | (873250) |
| 393 | 11/10/2010 | (873620) |
| 394 | 09/22/2010 | (873861) |
| 395 | 02/25/2011 | (877630) |
| 396 | 08/31/2011 | (877727) |
| 397 | 11/16/2010 | (877756) |
| 398 | 12/14/2010 | (877802) |
| 399 | 05/31/2011 | (879378) |
| 400 | 12/23/2010 | (880895) |
| 401 | 12/21/2010 | (881274) |
| 402 | 12/22/2010 | (881304) |
| 403 | 12/01/2010 | (881463) |
| 404 | 12/23/2010 | (885006) |
| 405 | 12/23/2010 | (885207) |
| 406 | 12/23/2010 | (885353) |
| 407 | 12/28/2010 | (885540) |

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| 408 | 12/28/2010 | (885713) |
| 409 | 01/04/2011 | (887127) |
| 410 | 01/31/2011 | (891772) |
| 411 | 02/28/2011 | (891833) |
| 412 | 02/10/2011 | (892168) |
| 413 | 03/28/2011 | (893267) |
| 414 | 02/14/2011 | (893281) |
| 415 | 02/16/2011 | (893375) |
| 416 | 02/16/2011 | (894255) |
| 417 | 05/24/2011 | (894399) |
| 418 | 02/07/2011 | (894930) |
| 419 | 11/22/2010 | (896192) |
| 420 | 05/03/2011 | (899771) |
| 421 | 03/07/2011 | (899772) |
| 422 | 06/03/2011 | (899773) |

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| 423 | 03/22/2011 | (900059) |
| 424 | 06/30/2011 | (900964) |
| 425 | 03/04/2011 | (901180) |
| 426 | 02/22/2011 | (909039) |
| 427 | 01/24/2010 | (909040) |
| 428 | 03/21/2011 | (916302) |
| 429 | 04/25/2011 | (924740) |
| 430 | 12/22/2010 | (924741) |
| 431 | 08/15/2011 | (932879) |
| 432 | 10/13/2011 | (933447) |
| 433 | 08/15/2011 | (934184) |
| 434 | 06/30/2011 | (934289) |
| 435 | 10/13/2011 | (934333) |
| 436 | 08/15/2011 | (934353) |
| 437 | 08/22/2011 | (936294) |
| 438 | 05/23/2011 | (937983) |
| 439 | 08/12/2011 | (944288) |
| 440 | 08/12/2011 | (944418) |
| 441 | 08/12/2011 | (944436) |
| 442 | 08/15/2011 | (944560) |
| 443 | 08/12/2011 | (944606) |
| 444 | 08/12/2011 | (944641) |
| 445 | 08/16/2011 | (944665) |
| 446 | 08/12/2011 | (944682) |
| 447 | 08/16/2011 | (945158) |
| 448 | 08/12/2011 | (945190) |
| 449 | 08/12/2011 | (945205) |
| 450 | 08/12/2011 | (945211) |
| 451 | 06/22/2011 | (945307) |
| 452 | 10/05/2011 | (949110) |
| 453 | 09/28/2011 | (949428) |
| 454 | 08/29/2011 | (949925) |
| 455 | 08/29/2011 | (950294) |

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| 456 | 08/29/2011 | (950435) |
| 457 | 10/13/2011 | (950582) |
| 458 | 08/29/2011 | (950698) |
| 459 | 07/21/2011 | (952582) |
| 460 | 08/22/2011 | (959264) |

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

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|--------------|---|--------------------------|
| Date:        | 11/30/2006 (544284)   | CN600124705              |
| Self Report? | YES   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 305, SubChapter F 305.125(1)<br>TWC Chapter 26 26.121(a)   |                          |
| Description: | Failure to meet the limit for one or more permit parameter  |                          |
| Date:        | 02/01/2007 (538420)   | CN600124705              |
| Self Report? | NO  | Classification: Moderate |
| Citation:    | 2933 Special Condition 1 PERMIT<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THC Chapter 382, SubChapter A 382.085(b) |                          |
| Description: | Failure to prevent process water collection system back-up.   |                          |
| Date:        | 03/31/2007 (574938)   | CN600124705              |
| Self Report? | YES   | Classification: Moderate |

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 04/11/2007 (532608) CN600124705  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 Description: Failure to include Polyols loading emissions in federal operating permit O-02179.  
 Date: 04/18/2007 (593172) CN600124705  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 30 TAC Chapter 305, SubChapter F 305.125(17)  
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE  
 Date: 07/24/2007 (567353) CN600124705  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 No. 1768, Special Condition No. 1 PERMIT  
 Description: Equistar failed to prevent a hole in a 1/4 inch nipple off of the flow orifice of the charge gas compressor.  
 Date: 07/31/2007 (607499) CN600124705  
 Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)  
 Description: Failure to meet the limit for one or more permit parameter  
 Date: 07/31/2007 (543338) CN600124705  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-02175 SC 12 OP  
 FOP O-02175 SC 1A OP  
 NSR 6245 SC 7(E) PA  
 Description: Failure to equip lines in VOC service with caps/plugs from January 24 through December 6, 2006 (NSR 6245; FOP O-02175).  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)  
 30 TAC Chapter 115, SubChapter H 115.782(a)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-02175 SC 12 OP  
 FOP O-02175 SC 1A OP  
 NSR 6245 SC 7(H) PA  
 Description: Failure to equip leaking pumps in VOC and HRVOC service with the required tags from January 10 through May 8, 2006 (NSR 6245; FOP O-02175).  
 Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(1)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-8(c)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-02175 SC 12 OP  
 FOP O-02175 SC 1A OP  
 NSR 6245 SC 7(I) PA  
 Description: Failure to repair pumps and connectors within the required time frames (NSR 6245; FOP O-02175).  
 Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(iv)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 FOP O-02175 SC 1A OP  
 Description: Failure to submit an accurate semiannual report on August 29, 2006 for fugitive

|              |            |   |                          |
|--------------|------------|---|--------------------------|
|              |            | equipment leak components subject to NSPS subpart VV to indicate that leaking pumps were on delay of repair list (NSR 6245; FOP O-02175).   |                          |
| Self Report? | NO         |   | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(c)(2)(vii)<br>5C THC Chapter 382, SubChapter D 382.085(b)<br>FOP O-02175 SC 1A OP  |                          |
| Description: |            | Failure to submit an accurate semiannual report on August 29, 2006 for fugitive equipment leak components subject to NSPS subpart VV to indicate the reason that leaking pumps were on delay of repair list (NSR 6245; FOP O-02175).  |                          |
| Self Report? | NO         |   | Classification: Moderate |
| Citation:    |            | 30 TAC Chapter 115, SubChapter D 115.352(2)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1(a)<br>5C THC Chapter 382, SubChapter D 382.085(b)<br>FOP O-02175 SC 12 OP<br>FOP O-02175 SC 1A OP<br>NSR 6245 SC 7 PA  |                          |
| Description: |            | Equistar failed to include 21 connectors and 8 valves in the C5 Recovery LDAR monitoring program (NSR 6245; FOP O-02175).   |                          |
| Date         | 11/30/2007 | (619407)  | CN600124705              |
| Self Report? | YES        |   | Classification: Moderate |
| Citation:    |            | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)  |                          |
| Description: |            | Failure to meet the limit for one or more permit parameter  |                          |
| Date         | 03/06/2008 | (610691)  | CN600124705              |
| Self Report? | NO         |   | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)<br>40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #1A OP  |                          |
| Description: |            | Failure to have the required bolts on the float well gauges.  |                          |
| Self Report? | NO         |   | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 115, SubChapter H 115.725<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #1J OP   |                          |
| Description: |            | Failure to conduct the initial and quarterly multi-point calibrations.  |                          |
| Self Report? | NO         |   | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 115, SubChapter H 115.722(d)(2)<br>30 TAC Chapter 116, SubChapter B 116.115(c)   |                          |
|              |            | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>49130 Special Condition #8A PERMIT<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #1(J) OP<br>O-02180 Special Condition #11 OP   |                          |
| Description: |            | Failure to not exceed actual flare tip velocity.  |                          |
| Self Report? | NO         |   | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(v)<br>40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #1A OP |                          |
| Description: |            | Failure to seal the tank's, MIPTK2615, vacuum vent that was found open during an annual inspection.   |                          |
| Self Report? | NO         |   | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 117, SubChapter B 117.206(i)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #1(I) OP  |                          |
| Description: |            | Failure to conduct engine testing during appropriate operating hours.   |                          |
| Self Report? | NO         |   | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 115, SubChapter H 115.722(d)(1)  |                          |

|              |   |                 |             |
|--------------|---|-----------------|-------------|
| Description: | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #11 OP<br>O-02180 Special Condition #1J OP<br>Special Condition #8A PERMIT  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 115, SubChapter H 115.783(5)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Part 60, Subpart VV 60.482-6<br>49130 Special Condition #5E PERMIT<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #11 OP<br>O-02180 Special Condition #1A OP<br>O-02180 Special Condition #1J OP |                 |             |
| Description: | Velocity to the flare, MIPFL2501, was exceeded during the process of activating the reactor catalyst during nine one hour periods.  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.722(d)(1)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>49130 Special Condition #8A PERMIT<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #11 OP<br>O-02180 Special Condition #1J OP  |                 |             |
| Description: | Failure to prevent one open-ended line found in VOC service.  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.722(d)(1)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>49130 Special Condition #8A PERMIT<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition #11 OP<br>O-02180 Special Condition #1J OP  |                 |             |
| Description: | Permit limits to the flare, MIPFL2501, were exceeded due to incorrect factor used in permit calculation.  |                 |             |
| Date         | 03/07/2008  | (596061)        | CN600124705 |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-02179 SC 10 OP<br>NSR Permit 3130A SC 8E PA  |                 |             |
| Description: | Failed to seal an open ended line.  |                 |             |
| Date         | 03/27/2008  | (611770)        | CN600124705 |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 335, SubChapter F 335.152(a)(8)<br>40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.191(a)  |                 |             |
| Description: | PP II-C-2-h PERMIT<br>Tank system assessment and certification was not adequate.  |                 |             |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 335, SubChapter F 335.152(a)(8)<br>40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(e)(1)(iii)<br>PP-II-C-2-h PERMIT  |                 |             |
| Description: | Coating for the secondary containment showed visible cracks.  |                 |             |
| Date         | 03/31/2008  | (689830)        | CN600124705 |
| Self Report? | YES   | Classification: | Moderate    |
| Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)  |                 |             |
| Description: | Failure to meet the limit for one or more permit parameter  |                 |             |
| Date         | 04/04/2008  | (610663)        | CN600124705 |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition (SC) #1A OP  |                 |             |
| Description: | Failed to equip the gauge float wells with bolts or fasteners on the covers of the roof openings of Tanks 3111A, 3111B, and 3113, to ensure that the openings are air tight.  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter B 115.112(a)(2)(A)   |                 |             |

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|              |            | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>SC #1A OP   |                          |
| Description: |            | Failure to have tank 3114's piping on the existing internal ladder way closed to the liquid from April 18, 2007 through July 27, 2007.   |                          |
| Self Report? | NO         |  | Classification: Moderate |
| Citation:    |            | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>SC #1 PERMIT<br>SC #s 1 and 15 OP   |                          |
| Description: |            | Failure to have Tank 3102 floating roof set on the roof legs on August 23, 2006. This constitutes a violation of New Source Review (NSR) Permit #2936, Special Condition (SC) #1 and 40 CFR 63.119(b)(1). (B19(g)(1))  |                          |
| Self Report? | NO         |  | Classification: Moderate |
| Citation:    |            | 30 TAC Chapter 115, SubChapter H 115.767(1)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>SC #1K(iv) OP  |                          |
| Description: |            | Failure to have cooling tower differential pressure fall below 5 psig for one minute on October 7, 2006. (B19(g)(1))   |                          |
| Self Report? | NO         |  | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)<br>5C THSC Chapter 382 382.085(b)<br>SC #1A OP<br>SC #8E PERMIT  |                          |
| Description: |            | Failure to have an open ended line in volatile organic compound (VOC) service on February 9, 2007. This constitutes a violation of NSR Permit #2936, SC #10, 30 TAC 115.352(4), and 40 CFR 63.167(a)(1). (C10)   |                          |
| Date         | 05/02/2008 | (610690)   | CN600124705              |
| Self Report? | NO         |  | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 117, SubChapter B 117.203(a)(12)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>O-02181 Special Condition #1A OP   |                          |
| Description: |            | Failure to prevent the diesel firewater pumps from exceeding the 100 hour runtime limit based on the rolling 12 month average.   |                          |
| Self Report? | NO         |  | Classification: Minor    |
| Citation:    |            | 2128 Special Condition #8E PERMIT<br>24887 Special Condition #1E PERMIT<br>30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)<br>49120 Special Condition #2D PERMIT<br>5C THSC Chapter 382 382.085(b)<br>6245 Special Condition #7E PERMIT<br>O-02181 Special Condition #1(I) OP<br>O-02181 Special Condition #1A OP<br>O-02181 Special Condition #22 OP |                          |
| Description: |            | Failure to seal 8 open-ended lines in VOC service.   |                          |
| Self Report? | NO         |  | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 115, SubChapter H 115.764(a)(1)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>O-02181 Special Condition #1(I) OP  |                          |
| Description: |            | Failure to perform the yearly preventative maintenance (PM).   |                          |
| Self Report? | NO         |  | Classification: Minor    |
| Citation:    |            | 30 TAC Chapter 115, SubChapter C 115.244<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)  |                          |



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| Description: | O-02181 Special Condition #6D OP   |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 106, SubChapter S 106.433(2)(C)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>O-02181 Special Condition #22 OP  |                          |
| Description: | Failure to properly seal three containers of a solvent that were left open in the unit.  |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(f)<br>5C THSC Chapter 382 382.085(b)<br>O-02181 Special Condition #1A OP   |                          |
| Description: | Failure to maintain continuous monitoring data in historian for the Alkyl Flare volumetric flow.   |                          |
| Date         | 06/16/2008 (610615)  | CN600124705              |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 115, SubChapter B 115.112(d)(2)(H)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>FOP No. O-2183 ST&C 12 OP<br>Permit No. 8125, SC 1 PERMIT |                          |
| Description: | RE had unauthorized emissions of VOC for Methanol Tank TK-5102.  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2183 ST&C 12 OP<br>Permit No. 8125, SC 2B PERMIT   |                          |
| Description: | RE failed to ensure that the cap on the gauge float well was kept air-tight with a bolt or fastener on three tanks.  |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)<br>5C THSC Chapter 382 382.085(b)<br>FOP No. O-2183, ST&C 12 OP                                      |                          |
| Description: | FOP No. O-2183, ST&C 1A OP   |                          |
| Date         | 06/17/2008 (636281)  | CN600124705              |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition #15 OP<br>Special Condition #1E PERMIT   |                          |
| Description: | Failure to seal 20 open-ended lines in VOC service.  |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition #15 OP<br>Special Condition #1F PERMIT   |                          |
| Description: | Failure to monitor two valves in VOC service.  |                          |
| Date         | 07/03/2008 (636094)  | CN600124705              |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 115, SubChapter H 115.783(5)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)   |                          |

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
SC #18 OP  
SC #8E PERMIT  
Special Condition (SC) #1A OP  
Description: failure to seal twenty-five open ended lines in volatile organic compound service.  
(Category C10)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC #1 PERMIT  
SC #18 OP

Description: Failed to comply with the hourly emission limit of 1.65 lbs/hr for VOCs and 0.14 lbs/hr for 1,3 butadiene intermittently from January 6, 2009 (the date the bankruptcy petition was filed) to present. Specifically, emissions from Regeneration Vent, EPN 3E05, for Reactors R-309 A, R-309 B, and R-309 C, exceeded permitted limits as documented by the results of sampling conducted for six one-hour samples per reactor on December 11 through 12, 2005 and December 31, 2005 and an update provided on May 2

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(a)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)  
5C THSC Chapter 382 382.085(b)  
SC #18 OP  
SC #1A OP  
SC #8I PERMIT

Description: failure to tag a leaking seal.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.174(d)  
5C THSC Chapter 382 382.085(b)  
SC #1 OP  
SC #18 OP  
SC #8I PERMIT

Description: Failure to make a first attempt for repair on two leaking components (Category C4 violation).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.781(b)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
SC #1A OP

Description: failure to follow Reference Method 21 for twenty-five components  
Date 07/18/2008 (681438) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition #1 PERMIT

Description: Failure to prevent an electrical power loss and the mechanical failure of a Process Safety Valve Bellow which resulted in flaring and a Process Safety Valve Bellow leak.

Date 07/30/2008 (687221) CN600124705

Self Report? NO Classification: Moderate

Citation: #2933 S.C. 1 PERMIT  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Description: Failure to meet the affirmative defense for Incident #108500 regarding a pipe failure in D-4333.

Date 08/01/2008 (681437) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

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|--------------|---|----------|--------------------------|
|              | 5C THSC Chapter 382 382.085(b)  |          |                          |
|              | Special Condition #1 PERMIT   |          |                          |
| Description: | Failure to prevent a hole in the first feed system line which resulted in a release of volatile organic compounds.  |          |                          |
| Date         | 08/11/2008  | (610620) | CN600124705              |
| Self Report? | NO  |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.725(d)(4)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>ST&C 1A OP   |          |                          |
| Description: | Failure to collect flair HRVOC samples by the 10th hour after analyzer malfunction.   |          |                          |
| Self Report? | NO  |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.782(a)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>SC 8H PERMIT<br>ST&C 10 OP   |          |                          |
| Description: | Failure to tag leaking component in VOC service.  |          |                          |
| Date         | 08/11/2008  | (637040) | CN600124705              |
| Self Report? | NO  |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Conditions, No. 4A PERMIT<br>Special Terms and Conditions, No. 18 OP<br>Special Terms and Conditions, No. 1A OP   |          |                          |
| Description: | Failure to control emissions of VOC from a process safety valve (PSV) 99PVRLS00 on MTBE Tank TK-19.   |          |                          |
| Self Report? | NO  |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)<br>5C THSC Chapter 382 382.085(b)<br>Special Terms and Conditions, No. 1A OP  |          |                          |
| Description: | Failure to keep the cover on a gauge float well air-tight with a bolt or fastener on tank TK-37.  |          |                          |
| Self Report? | NO  |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.783(5)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)   |          |                          |
|              | 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition No. 6E PERMIT<br>Special Terms and Conditions, No. 18 OP<br>Special Terms and Conditions, No. 1H OP   |          |                          |
| Description: | Failure to seal 15 open-ended valves or lines with a cap, blind flange, plug or a second valve.   |          |                          |
| Date         | 08/13/2008  | (682388) | CN600124705              |
| Self Report? | NO  |          | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>TCEQ Air Permit #2128, SC# 1 PA  |          |                          |
| Description: | Equistar failed to prevent the seal leak from pump P-368B while adjusting the pump shaft during the coupling of the motor to the pump.  |          |                          |
| Date         | 08/27/2008  | (638212) | CN600124705              |
| Self Report? | NO  |          | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Part 60, Subpart VV 60.482-6<br>5C THSC Chapter 382 382.085(b)<br>FOP O-02175 Special Condition 12 OP<br>Permit 6245, Special Condition 7H PERMIT |          |                          |
| Description: | Failure to cap open-ended lines.  |          |                          |

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| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.354(5)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162(f)(1)<br>5C THSC Chapter 382 382.085(b)<br>FOP No. O-02175, Special Conditions 12 OP<br>Permit No. 6245, Special Condition 7H PERMIT  |                 |             |
| Description: | Failure to tag compressor seal.   |                 |             |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.354(2)(C)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(1)<br>5C THSC Chapter 382 382.085(b)<br>FOP No. O-02175, Special Condition 12 OP<br>Permit 6245, Special Condition 7H PERMIT |                 |             |
| Description: | Failure to monitor valves.  |                 |             |
| Date         | 08/29/2008  | (681367)        | CN600124705 |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-02174 STC 21 OP<br>NSR Permit 2933 SC 13E PA   |                 |             |
| Description: | LB failed to seal open ended lines  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-02174 STC 21 OP<br>NSR 2933 SC 10 PA  |                 |             |
| Description: | Failure to continuously monitor the fuel gas.   |                 |             |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2174 STC 21 OP<br>NSR 2933 SC 1 PA  |                 |             |
| Description: | Failure to maintain hourly tank (Tk-48008 & Tk-4917) emissions within the MAERT.  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.345(b)(1)<br>5C THSC Chapter 382 382.085(b)  |                 |             |
| Description: | Failed to submit test notification within required time frame.  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-02174 STC 21 OP<br>NSR 2933 SC 1 PA   |                 |             |
| Description: | Failure to maintain Tk-48304 emissions within the MAERT, due to operations.   |                 |             |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.310(c)(1)<br>5C THSC Chapter 382 382.085(b)  |                 |             |
| Description: | Failure to maintain furnace CO emissions within allowable limits.   |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2174 STC 1A OP   |                 |             |
| Description: | Failure to install proper bolts on floating roof tanks.   |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.310(c)(1)<br>5C THSC Chapter 382 382.085(b)  |                 |             |
| Description: | Failure to maintain diesel engine CO emissions less than limit.   |                 |             |

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| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.354(2)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT TT 63.1004(a)(1)(i)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-02174 STC 1E OP<br>NSR 2933 SC 13F PA    |                 |             |
| Description: | Failure to monitor valves in VOC/EMACT service   |                 |             |
| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2174 STC 21 OP<br>NSR 2933 SC 15 PA<br>NSR 2933 SC 16 PA                                      |                 |             |
| Description: | Failure to monitor connectors in VOC service.  |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2174 STC 1A OP   |                 |             |
| Description: | Failure to continuously record parameters.   |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.354(5)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2174 STC 1A OP<br>NSR 2933 SC 13 H PA   |                 |             |
| Description: | Failure to tag leaking components  |                 |             |
| Date         | 09/09/2008   | (681362)        | CN600124705 |
| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.725(d)(2)(A)(i)<br>5C THSC Chapter 382 382.085(b)   |                 |             |
| Description: | Failed to calibrate OP-1 GC Analyzer within specifications   |                 |             |
| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.725(d)(3)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-1426 STC 22 OP   |                 |             |
| Description: | NSR Permit 1768 SC 13D PA  |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>30 TAC Chapter 122, SubChapter B 122.145(2)(A)<br>5C THSC Chapter 382 382.085(b)<br>FOP 1426 General Terms and Conditions OP  |                 |             |
| Description: | Failed to report all instances of deviations.  |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-1426 STC 22 OP<br>NSR Permit 1768 SC 14E PA |                 |             |
| Description: | Failed to maintain a seal on open-ended lines.   |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.722(c)(1)<br>5C THSC Chapter 382 382.085(b)   |                 |             |
| Description: | Failed to maintain HRVOC emissions within 1,200 lbs/hr cap.  |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)   |                 |             |

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| Description: | 5C THSC Chapter 382 382.085(b)<br>FOP O-1426 STC 22 OP<br>NSR Permit 1768 SC 10 PA<br>Failed to continuously monitor the fuel gas.  | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.345(c)<br>5C THSC Chapter 382 382.085(b)   |                 |          |
| Description: | Failed to submit test report within 60 days.  | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.354(5)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181(b)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-1426 STC 1A OP<br>FOP O-1426 STC 22 OP<br>NSR Permit 1768 SC 14H PA |                 |          |
| Description: | Failed to tag a leaking component, upon discovery.  | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-1426 STC 22 OP<br>NSR Permit 1768 SC 5E PA  |                 |          |
| Description: | Failed to install submerged fill pipe on storage tanks.   | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT K 60.112(a)(1)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT WW 63.1063(a)(2)(vi)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-1426 STC 1A OP           |                 |          |
| Description: | Failed to install float well gauge bolts.   | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.345(b)(2)<br>5C THSC Chapter 382 382.085(b)  |                 |          |
| Description: | Failed to submit post RATA within 15 days.  | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.766(a)(6)<br>5C THSC Chapter 382 382.085(b)  |                 |          |
| Description: | Failed to complete the HRVOC Corrective Action Plan.  | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.340(f)(1)<br>30 TAC Chapter 117, SubChapter G 117.8100(a)(1)(C)<br>5C THSC Chapter 382 382.085(b)  |                 |          |
| Description: | Failed to perform Cylinder Gas Audit in accordance with audit specifications.   | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 117, SubChapter G 117.8140(b)<br>5C THSC Chapter 382 382.085(b)  |                 |          |
| Description: | Failed to test diesel engine on a quarterly basis.  | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-1426 STC 1A OP  |                 |          |
| Description: | Failed to continuously record parameters.   | Classification: | Minor    |
| Self Report? | NO  |                 |          |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)<br>5C THSC Chapter 382 382.085(b)  |                 |          |
| Description: | Failed to conduct Extra-Ordinary Efforts.   |                 |          |
| Date         | 10/31/2008 (727385) CN600124705   |                 |          |
| Self Report? | YES   | Classification: | Moderate |
| Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)  |                 |          |
| Description: | Failure to meet the limit for one or more permit parameter  |                 |          |
| Date         | 10/31/2008 (705305) CN600124705   |                 |          |

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| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2174 STC 1A OP  |                 |             |
| Description: | Failure to install proper bolts on floating roof tanks.  |                 |             |
| Date         | 11/30/2008   | (727386)        | CN600124705 |
| Self Report? | YES  | Classification: | Moderate    |
| Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)   |                 |             |
| Description: | Failure to meet the limit for one or more permit parameter   |                 |             |
| Date         | 12/05/2008   | (707275)        | CN600124705 |
| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>TCEQ Air Permit #1768, SC #1 PA   |                 |             |
| Description: | Equistar failed to prevent the exchanger leak into Olefins 1 Cooling Tower which resulted in this emissions event.   |                 |             |
| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)<br>5C THSC Chapter 382 382.085(b)  |                 |             |
| Description: | Equistar failed to report the emissions event within 24 hours of discovery.  |                 |             |
| Date         | 01/09/2009   | (721591)        | CN600124705 |
| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)<br>5C THSC Chapter 382 382.085(b)  |                 |             |
| Description: | Equistar failed to prevent excess opacity during an abrasive transfer.   |                 |             |
| Date         | 01/16/2009   | (709781)        | CN600124705 |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter B 115.122(a)(2)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)<br>5C THSC Chapter 382 382.085(b)<br>NSR 49130, Special Condition 8A PERMIT<br>O-02180 Special Condition 11 OP |                 |             |
| Description: | Failure to maintain the IPOH flare above the minimum net heating value of 300 BTU/scf for four one-hour periods on 10/26/2007.   |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)  |                 |             |
| Description: | 5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition 1(A) OP<br>Failure to conduct monthly pump monitoring on 23 pumps in the MIPFG unit.   |                 |             |
| Self Report? | NO   | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>49130, Special Condition 1 PERMIT<br>5C THSC Chapter 382 382.085(b)<br>O-02180 Special Condition 11 OP   |                 |             |
| Description: | Failure to stay within their permitted emissions limits in the MAERT.  |                 |             |
| Self Report? | NO   | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)(iv)<br>5C THSC Chapter 382 382.085(b)<br>O-02180, Special Condition 1(A) OP  |                 |             |
| Description: | Failure to maintain the required bolt on the float well gauge on tank TK-3110, Unit ID MIPTK3310, and tank TK-2615, Unit ID MIPTK2615.   |                 |             |
| Date         | 03/31/2009   | (768262)        | CN600124705 |
| Self Report? | YES  | Classification: | Moderate    |
| Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)   |                 |             |
| Description: | Failure to meet the limit for one or more permit parameter   |                 |             |
| Date         | 04/28/2009   | (737713)        | CN600124705 |
| Self Report? | NO   | Classification: | Minor       |

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| Citation:    | 30 TAC Chapter 101, SubChapter F 101.201(b)(1)(H)<br>5C THSC Chapter 382 382.085(b)  |                          |
| Description: | Equistar Chemicals LP (Equistar), Channelview Complex, failed to provide the permit number governing the facilities involved in the emissions event.   |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition #1 PERMIT   |                          |
| Description: | Equistar failed to prevent unauthorized emissions, by a leak due to improper installation, incorrect selection of the gasket, and the pre-existing piping misalignment in its PolyBD unit.   |                          |
| Date         | 04/30/2009 (768263)  | CN600124705              |
| Self Report? | YES  | Classification: Moderate |
| Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)   |                          |
| Description: | Failure to meet the limit for one or more permit parameter   |                          |
| Date         | 05/04/2009 (738986)  | CN600124705              |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 319, SubChapter A 319.11(b)   |                          |
| Description: | Failure to utilize the proper analytical methods and techniques for total chlorine residual.   |                          |
| Date         | 07/03/2009 (747361)  | CN600124705              |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>No. 2933, Special Condition #1 PERMIT   |                          |
| Description: | Failure to prevent unauthorized emissions; specifically, Equistar failed to maintain fuel gas to Superheaters F-48001A/B resulting in a shutdown, causing the CPI Separator vent stream to route 48.5 pounds of unauthorized Volatile Organic Compounds (VOCs) to the atmosphere.  |                          |
| Date         | 07/07/2009 (744818)  | CN600124705              |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(1)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition 4C PERMIT<br>Special Terms and Conditions 1A OP<br>Special Terms and Conditions 22 OP |                          |
| Description: | Failure to maintain steam going to flare resulting in a smoking flare. (CATEGORY C4 violation)   |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>Special Terms and Conditions 1A OP  |                          |
| Description: | Failure to conduct monthly pump monitoring on eleven (11) pumps. (CATEGORY C1 violation)   |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.340(j)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Terms and Conditions 1A OP<br>Special Terms and Conditions 7B OP   |                          |
| Description: | Failure to maintain the run time meter on Unit ID EUTG1111. (CATEGORY C4 violation)  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 111, SubChapter B 111.205(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Terms and Conditions 3Fi OP  |                          |
| Description: | Failure to provide fire extinguisher training notifications to the TCEQ and the local pollution control agency (Harris County) from 03/14/2007 through 03/27/2008.   |                          |



|              |  |                          |
|--------------|--|--------------------------|
|              | (CATEGORY B3 violation)  |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 106, SubChapter T 106.454(3)(B)<br>30 TAC Chapter 115, SubChapter E 115.412(1)(A)<br>5C THSC Chapter 382 382.085(b)<br>Special Terms and Conditions 22 OP   |                          |
| Description: | Failure to close the lid on the part washer after use. (CATEGORY C4 violation)   |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>30 TAC Chapter 122, SubChapter B 122.145(2)(A)<br>5C THSC Chapter 382 382.085(b)<br>General Terms and Conditions OP   |                          |
| Description: | Failure to report all deviations during the deviation reporting period. (CATEGORY C3 violation)  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.110(a)(4)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Terms and Conditions 23 OP  |                          |
| Description: | Failure to maintain emissions on Unit ID ZMSENAIS during usage. (CATEGORY B14 violation)   |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition 4B PERMIT<br>Special Terms and Conditions 1A OP<br>Special Terms and Conditions 22 OP |                          |
| Description: | Failure to maintain flare pilot flame records. (CATEGORY C3 violation)   |                          |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 117, SubChapter B 117.310(c)(1)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Terms and Conditions 1A OP  |                          |
| Description: | Failure to maintain emissions on Unit ID ZMSENAIS during a quarterly stack test. (CATEGORY C4 violation)   |                          |
| Date         | 07/15/2009 (747403)  | CN600124705              |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(2)<br>30 TAC Chapter 115, SubChapter H 115.782(b)(2)  |                          |
|              | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>SC 6I PERMIT<br>ST&C 18 PERMIT<br>ST&C 1A PERMIT   |                          |
| Description: | Failure to repair 5 leaking components within the 15 calendar day limit (CATEGORY C4 violation)  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>ST&C 1A PERMIT  |                          |
| Description: | failure to conduct monthly monitoring on 63 pumps in March 2008 (CATEGORY B1 violation)  |                          |
| Date         | 07/31/2009 (804330)  | CN600124705              |
| Self Report? | YES  | Classification: Moderate |
| Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)   |                          |
| Description: | Failure to meet the limit for one or more permit parameter   |                          |
| Date         | 08/06/2009 (747389)  | CN600124705              |
| Self Report? | NO   | Classification: Minor    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)   |                          |

Special Condition 11E PERMIT  
Special Terms and Conditions 10 OP

Description: Failure to maintain lines resulting in open ended lines. (CATEGORY C10)  
Date 08/11/2009 (747513) CN600124705  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
40 CFR Part 61, Subpart V 61.242-2(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02182, SC 1.A PERMIT

Description: failed to perform monthly pump monitoring on 45 pumps in the Benzene/Toluene Unit in February and March of 2008.  
Self Report? NO Classification: Minor  
Citation: 2936, SC 7E PERMIT  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02182, SC 1.A PERMIT  
O-02182, SC 15 PERMIT

Description: failed to equip two open ended lines (OELs) with a cap or valve  
Date 08/18/2009 (747005) CN600124705  
Self Report? YES Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP #O-02179, ST & C #1A PERMIT

Description: Failure to maintain continuous fuel flow records for the Vapor Combustor. (C3)  
Date 08/19/2009 (764588) CN600124705  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)  
5C THSC Chapter 382 382.085(b)

Description: Equistar failed to prevent the vent filter solenoid from malfunctioning, causing rupture disk (PSE-28098) to release an opacity of 100 (%) percent.  
Date 08/25/2009 (747519) CN600124705  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
5C THSC Chapter 382 382.085(b)

Description: FOP #O-02184, ST & C#1A OP  
failure to perform monthly pump monitoring from February 29, 2008 through March 31, 2008. (Category C1 violation)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(c)(1)  
5C THSC Chapter 382 382.085(b)  
FOP# O-02184, ST & C #18 OP  
FOP# O-02184, ST & C #1A OP  
NSR Permit No. 2128, SC#8I PA

Description: failed to re-monitor pump seal P-301A in a timely manner. (Category C1 violation)  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter H 115.782(b)(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP# O-02184, SC#1A OP  
FOP#O-02184, SC#18 OP  
NSR 2128, SC#8I PA

Description: failed to calibrate the TVA monitoring instrument. (Category C1 Violation)  
Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 115, SubChapter H 115.783(5)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
 5C THSC Chapter 382 382.085(b)  
 FOP# O-02184, ST & C #18 OP  
 FOP# O-02184, ST & C #1A OP  
 NSR Permit No. 2128, SC#8E PA

Description: failed to seal four open-ended lines in VOC service on November 27, 2007 through December 11, 2007, March 27, 2008, and June 4, 2008. (Category C10 violation)

Date 08/31/2009 (747366) CN600124705  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.163(b)(1)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition No. 2(C) PERMIT  
 Special Terms and Conditions No. 1(A) OP  
 Special Terms and Conditions No. 12 OP

Description: failure to perform monthly pump monitoring. (Category B1 violation)

Date 08/31/2009 (804331) CN600124705  
 Self Report? YES Classification: Moderate  
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date 01/22/2010 (786477) CN600124705  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)  
 No. 2933, Special Condition No. 21 PERMIT

Description: The F-3415 Heater emitted at a rate of 66.67% opacity averaged over a six-minute period.

Date 02/02/2010 (784880) CN600124705  
 Self Report? NO Classification: Minor  
 Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
 5C THSC Chapter 382 382.085(b)

Description: Failure to maintain records of the pilot flame for flare EUTFL1701V (CATEGORY C3 Violation)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.725(d)(1)(C)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 Special Condition 4(D) PERMIT  
 Special Terms and Conditions 22 OP  
 Special Terms and Conditions 32 OP

Description: Failure to conduct the required annual calibration of the continuous flow monitoring system for flare EUTFL1701 and EUTFL607 (CATEGORY B1 Violation)

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 115, SubChapter H 115.764(a)(1)  
 5C THSC Chapter 382 382.085(b)

Description: Failure to conduct the required annual calibration of the continuous flow meter for the cooling tower heat exchange system ECUCT604 (CATEGORY B1 Violation)

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 117, SubChapter B 117.340(j)  
 5C THSC Chapter 382 382.085(b)  
 Special Terms and Conditions 1A OP

Description: Failure to record the operating time of stationary engine EUTENEOC with an elapsed run time meter (CATEGORY C3 Violation)

Date 02/10/2010 (791001) CN600124705  
 Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 5C THSC Chapter 382 382.085(b)

No. 2128, Special Condition #1 PERMIT

Description: Equistar failed to maintain the Crude C4 line to Tank 43 which resulted in the release of 728.6 pounds (lbs.) of unauthorized volatile organic compounds (VOC).

Date 03/09/2010 (784797) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)  
5C THSC Chapter 382 382.085(b)  
NSR, SC 7E PERMIT  
SC1A and SC15A OP

Description: Failure to seal open-ended lines for Unit ID: MBTFG on January 27, 2009 and February 2, 2009. (CATEGORY C10 violation)

Date 03/09/2010 (781119) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 117, SubChapter G 117.8100(b)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term & Condition (ST&C) 1A OP

Description: Failure to conduct preventative maintenance checks on the humidity analyzers (Predictive Emission Monitors) for GRPHeat1 and GRPHeat3 during the period 3/15/2008 through 3/30/2009. (CATEGORY B1 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter H 115.782(b)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term & Condition 1K OP

Description: Failure to conduct extraordinary repair (EOR) in the unit OP1FG during 12/30/2008 through 1/12/2009. (Category C10 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.142(2)(A)  
5C THSC Chapter 382 382.085(b)  
Special Term & Condition 6 OP

Description: Failure to secure a still well cover on the internal floating roof tank, TK38010, during the period 1/20/2009 through 2/26/2009. (CATEGORY C7 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.126(1)(B)  
30 TAC Chapter 115, SubChapter B 115.126(1)(C)

30 TAC Chapter 115, SubChapter B 115.144(3)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.354(a)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.356(j)(7)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT SS 63.998(a)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Terms & Conditions 1F & 11 OP

Description: Failure to maintain continuous records during the time frame of 5/5/2008 through 9/6/2008 for the superheater arch temperature, stripper bottoms temperature, and the flare pilot. The units listed are as follows: GRP-HEAT2, OP1TW3407, GRP-VENT2, OP1FL3801V, OP1SU38094, and OP1TK3458. (Category B3 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)  
30 TAC Chapter 115, SubChapter H 115.725(a)(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349(a)(2)(i)(B)  
5C THSC Chapter 382 382.085(b)  
Special Terms & Conditions 1A, 1K, & 11 OP

Description: Failure to maintain the required temperature of 1242 degrees Fahrenheit, on OP1HT804BV from 5/9/2008 through 8/11/2008. (Category B18 Violation)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.169(a)  
40 CFR Part 61, Subpart V 61.242-2(a)(1)  
5C THSC Chapter 382 382.085(b)

|              |   |                          |
|--------------|---|--------------------------|
|              | Special Terms & Conditions 1F & 1A OP   |                          |
| Description: | Failure to conduct monthly pump monitoring for a pump in OP1FG from 2/29/2008 through 3/31/2008. (Category C1 Violation)  |                          |
| Self Report? | NO  | Classification: Minor    |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.138(c)(1)<br>5C THSC Chapter 382 382.085(b)<br>Special Term & Condition 1F OP   |                          |
| Description: | Failed to continuously maintain the wastewater stripper (OP1TW3407) minimum temperature of 225 degrees Fahrenheit during the period 7/20/2008 through 8/15/2008   |                          |
| Self Report? | NO  | Classification: Minor    |
| Citation:    | 30 TAC Chapter 111, SubChapter A 111.111(a)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Term & Condition 3A OP  |                          |
| Description: | Failure to prevent visible emissions on 3/22/2008 of the portable air compressor (temporary). (Category C7 Violation)   |                          |
| Self Report? | NO  | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition (SC) 11 PERMIT<br>Special Term & Condition 22 OP  |                          |
| Description: | Failure to maintain the 10 ppm limit ammonia slip on OP1HT3415 from 10/18/2007 through 9/4/2008. (Category B3 Violation)  |                          |
| Self Report? | NO  | Classification: Moderate |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.145(2)(A)<br>5C THSC Chapter 382 382.085(b)<br>General Terms & Conditions OP   |                          |
| Description: | Failure to report as a deviations the monthly pump monitoring for OP1FG was not conducted in the reporting period, 09/15/2007 through 3/14/2008 and the limit of the ammonia slip for OP1HT3415 was not reported for the periods 9/15/2007 through 3/14/2008 and 3/15/2008 through 9/15/2008. (Category B3 Violation) |                          |
| Self Report? | NO  | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.110(a)(1)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition 1 PERMIT  |                          |
|              | Special Term & Condition 22 OP  |                          |
| Description: | Failure to maintain the CO and NOx hourly permit limit and the annual permit limit on the diesel engine (OP1EN1) during the 10/01/2007 through 03/19/2009. (Category B1 Violation)  |                          |
| Date         | 04/06/2010 (784892)   | CN600124705              |
| Self Report? | NO  | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.782(c)(2)(A)(i)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>SC 1K(v) OP  |                          |
| Description: | failed to complete repair of a leaking component in HRVOC service within 30 days of the discovery of the leak (C1)  |                          |
| Date         | 04/22/2010 (792539)   | CN600124705              |
| Self Report? | NO  | Classification: Moderate |
| Citation:    | 30 TAC Chapter 331, SubChapter D 331.64(c)<br>PROVISION VIII.A. PERMIT  |                          |
| Description: | Failure to maintain a surface injection pressure gauge in proper working order.   |                          |
| Date         | 04/29/2010 (784876)   | CN600124705              |
| Self Report? | NO  | Classification: Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-6(a)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition 5E PERMIT<br>Special Terms and Conditions 11 OP       |                          |

|              |  |                          |
|--------------|--|--------------------------|
| Description: | Special Terms and Conditions 1A OP<br>Failure to equip an open-ended line with a cap, blind flange, plug or second valve (CATEGORY C10 Violation)  | Classification: Moderate |
| Self Report? | NO   |                          |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(2)(A)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.171(b)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition 5I PERMIT<br>Special Terms and Conditions 11 OP<br>Special Terms and Conditions 1A OP |                          |
| Description: | Failure to adequately identify pump 2633B as a DOR component (CATEGORY C4 Violation)   | Classification: Moderate |
| Self Report? | NO   |                          |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(4)(iii)<br>5C THSC Chapter 382 382.085(b)<br>Special Condition 7A PERMIT<br>Special Condition 8A PERMIT<br>Special Terms and Conditions 11 OP<br>Special Terms and Conditions 1A OP             |                          |
| Description: | Failure to maintain the exit velocity of flare FL-2501 (CATEGORY B18 Violation)  |                          |
| Date         | 05/11/2010 (789904) CN600124705  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>No. 2128, Special Condition No. 1 PERMIT  |                          |
| Description: | A gasket on the exchanger was improperly installed causing the leak.   |                          |
| Date         | 05/14/2010 (794018) CN600124705  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 115, SubChapter H 115.783(5)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)<br>5C THSC Chapter 382 382.085(b)<br>FOP SC 1H, SC 1A and SC 18 OP                            |                          |
| Description: | New Source Review, SC 8E PERMIT<br>Failure to seal three open-ended lines for Unit ID: EC4FG on April 14, 2009. (CATEGORY C10 violation)   | Classification: Moderate |
| Self Report? | NO   |                          |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.356(2)(D)<br>30 TAC Chapter 115, SubChapter H 115.786(d)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>FOP SC 1A and SC 1H OP   |                          |
| Description: | Failure to maintain daily calibration records for Unit ID: EC4FG on May 6, 2009 through May 7, 2009. (CATEGORY C1 violation)   |                          |
| Date         | 05/17/2010 (800543) CN600124705  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>No. 1768, Special Condition 21 PERMIT   |                          |
| Description: | It was determined that Equistar Chemicals LP exceeded the permitted allowable at a rate of 66.67% opacity averaged over a six-minute period.   |                          |
| Date         | 06/22/2010 (825556) CN600124705  |                          |
| Self Report? | NO   | Classification: Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>No. 2128, Special Condition No. 1, PERMIT   |                          |
| Description: | Equistar failed to prevent pressure safety valve, PSV-08141, on Tank 14 from venting 342 lbs of 1,3-Butadiene, 464 lbs of butenes, 82 lbs of butane and 5 lbs of unspecified VOC to the atmosphere.  |                          |
| Date         | 06/30/2010 (798858) CN600124705  |                          |

|              |   |                 |             |
|--------------|---|-----------------|-------------|
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>No. 1768, Special Condition No. 1 PERMIT   |                 |             |
| Description: | Equistar failed to manage the pre-cut demethanizer level indicator in the Olefins 1 Unit resulting in a release to the OP I flare.  |                 |             |
| Date         | 07/15/2010  | (841139)        | CN600124705 |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(b)(6)<br>5C THSC Chapter 382 382.085(b)<br>FOP O-2174 STC 1A OP   |                 |             |
| Description: | Failure to install proper bolts on floating roof tanks.   |                 |             |
| Date         | 07/23/2010  | (826293)        | CN600124705 |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>No. 2936, Special Condition No. 1 PERMIT   |                 |             |
| Description: | Equistar failed to ensure that the pressure switch (PSH-40076) on Tank 4002 indicated high pressure, thereby resulting in a PVSV (weighted lid) hatch relief.   |                 |             |
| Date         | 08/20/2010  | (803099)        | CN600124705 |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1033(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>SC 14E PERMIT<br>STC 21 OP |                 |             |
| Description: | Open ended lines (C10)  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.782(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>STC 1J OP   |                 |             |
| Description: | Failed to repair leaking components in HRVOC service within one week (C1).  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1027(b)(3)(iv)  |                 |             |
| Description: | Failed to repair leaking components in HRVOC service within one week (C1).  |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>SC 1 PERMIT<br>STC 21 OP  |                 |             |
| Description: | Cooling tower exceeded hourly permitted emissions rate due to a leaking exchanger (C4).   |                 |             |
| Self Report? | NO  | Classification: | Minor       |
| Citation:    | 40 CFR Chapter 63, SubChapter C, PT 63, SubPT YY 63.1110(e)(2)  |                 |             |
| Description: | Failed to submit a LDAR periodic report for components in HAP service within the required timeframe (C3).   |                 |             |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter H 115.725<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>SC 17 PERMIT<br>STC 1J and 21 OP  |                 |             |
| Description: | Super heaters not monitored for compliance with HRVOC requirements (B18).   |                 |             |
| Self Report? | NO  | Classification: | Moderate    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.354(2)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(b)(1)<br>5C THSC Chapter 382 382.085(b)<br>SC 14 PERMIT<br>STC 21 OP    |                 |             |

|              |  |          |                 |          |
|--------------|--|----------|-----------------|----------|
| Description: | LDAR components not monitored (B18).   |          | Classification: | Minor    |
| Self Report? | NO   |          |                 |          |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1024(d)(2)<br>5C THSC Chapter 382 382.085(b)<br>SC 14H PERMIT<br>STC 21 OP   |          |                 |          |
| Description: | Failure to keep "delay of repair" and "do not operate tags" on a pump that was found leaking (C4).   |          |                 |          |
| Self Report? | NO   |          | Classification: | Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.356(2)(D)<br>30 TAC Chapter 115, SubChapter H 115.786(d)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>5C THSC Chapter 382 382.085(b)<br>STC 1J OP  |          |                 |          |
| Description: | Failure to provide calibration records during the annual HRVOC audit (C3).   |          |                 |          |
| Date         | 09/30/2010   | (881463) | CN600124705     |          |
| Self Report? | YES  |          | Classification: | Moderate |
| Citation:    | 2D TWC Chapter 26, SubChapter A 26.121(a)<br>30 TAC Chapter 305, SubChapter F 305.125(1)   |          |                 |          |
| Description: | Failure to meet the limit for one or more permit parameter   |          |                 |          |
| Date         | 10/22/2010   | (869961) | CN600124705     |          |
| Self Report? | NO   |          | Classification: | Major    |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>5C THSC Chapter 382 382.085(b)<br>No. 2936, Special Condition No. 1 PERMIT  |          |                 |          |
| Description: | Equistar failed to ensure that the metallurgical integrity of the piping in the Benzene Toluene Unit was properly maintained, thereby resulting in a release of 69 pounds (lbs.) of benzene, and 17 lbs. of toluene to the atmosphere.   |          |                 |          |
| Date         | 12/17/2010   | (877802) | CN600124705     |          |
| Self Report? | NO   |          | Classification: | Moderate |
| Citation:    | No. 1768, Special Condition No. 1 PERMIT   |          |                 |          |
| Description: | Equistar failed to prevent a leak from exchanger E-3701, causing a release of 54 pounds (lbs.) of benzene, 10 lbs of ethyl benzene, 34 lbs. of toluene, 16 lbs. of xylene, and 110 lbs. of other volatile organic compounds (VOC's) to the atmosphere.   |          |                 |          |
| Date         | 06/01/2011   | (879378) | CN600124705     |          |
| Self Report? | NO   |          | Classification: | Moderate |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.352(4)<br>30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(2)<br>5C THSC Chapter 382 382.085(b)<br>FOP #O-2181, ST&C 1A OP<br>FOP #O-2181, ST&C 22 OP<br>NSR #2128, SC 8E. PERMIT |          |                 |          |
| Description: | Failure to seal open-ended lines containing volatile organic compounds (VOCs). [Category C10]  |          |                 |          |
| Self Report? | NO   |          | Classification: | Moderate |
| Citation:    | 30 TAC Chapter 116, SubChapter B 116.115(c)<br>30 TAC Chapter 122, SubChapter B 122.143(4)<br>40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)<br>40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)<br>5C THSC Chapter 382 382.085(b)<br>FOP #O-2181, ST&C 1A OP<br>FOP #O-2181, ST&C 22. OP<br>NSR #24887, SC 6A. PERMIT   |          |                 |          |
| Description: | Failure to maintain minimum net heating value of the fuel feed (300 BTU/scf) to the Alkylation Flare (EPN 6E07). [Category B19.g.(1)]  |          |                 |          |
| Self Report? | NO   |          | Classification: | Minor    |
| Citation:    | 30 TAC Chapter 115, SubChapter D 115.356(2)(D)<br>30 TAC Chapter 115, SubChapter H 115.786(d)<br>30 TAC Chapter 122, SubChapter B 122.143(4)   |          |                 |          |



5C THSC Chapter 382 382.085(b)  
FOP #O-2181, ST&C 1(l)(v) OP  
FOP #O-2181, ST&C 1A. OP

Description: Failure to maintain instrument calibration records as part of fugitive emissions monitoring program. [Category C3]

Date 06/03/2011 (859963) CN600124705

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 117, SubChapter B 117.340(a)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Term and Condition 1A OP

Description: Failure to continuously measure gas fuel usage of the thermal oxidizer (EPN 69E04). [Category C1 violation]

Date 08/31/2011 (877727) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Term & Condition 1A OP

Description: Equistar failed to have the required bolt on the float well gauge on Tank 2615 from the period of August 20, 2009 through July 12, 2010. (Category C4 Violation)

Date 09/30/2011 (949428) CN600124705

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
No. 2933, Special Condition No. 1 PERMIT

Description: Equistar failed to replace the old flange bolts and the gasket during the 2011 turnaround and as a result the manway flange leaked 376 pounds (lbs.) of gaseous ethylene, 53 lbs. of propylene, 3 lbs. of 1,3-butadiene, 2 lbs. of acetylene, and 2 lbs. of propane. The duration of this event was 2 hours and 55 minutes. Category B; Attachment B 14.

F. Environmental audits.

Notice of Intent Date: 11/28/2006 (534269)  
No DOV Associated

Notice of Intent Date: 07/30/2007 (593548)  
Disclosure Date: 10/05/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.347

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355

Description: Failure to complete the 2006 annual Method 21 inspections for all regulated oil/water separators, tanks and closed vent systems.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.345

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.355

Description: Failure to conduct 2004, 2005 and 2006 annual Method 21 inspections for all regulated containers.

Notice of Intent Date: 08/16/2007 (593550)  
No DOV Associated

Notice of Intent Date: 08/16/2007 (593554)  
No DOV Associated

Notice of Intent Date: 10/02/2007 (595562)  
Disclosure Date: 10/25/2007

Viol. Classification: Moderate

Citation: 40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343

40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.349

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.148

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.172

Rqmt PERMIT Operating Permit O-2181

Description: Failed to comply with Method 21 for regulated HON group 1 wastewater closed vent systems.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

30 TAC Chapter 115, SubChapter H 115.786  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1  
40 CFR Part 60, Subpart VV 60.482-10  
40 CFR Part 60, Subpart VV 60.482-4  
40 CFR Part 60, Subpart VV 60.482-7  
40 CFR Part 60, Subpart VV 60.485  
40 CFR Part 60, Subpart VV 60.487  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1  
40 CFR Part 61, Subpart V 61.242-4  
40 CFR Part 61, Subpart V 61.242-7  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162  
40 CFR Part 63, Subpart H 63.174  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to always perform initial and periodic monitoring and there were instances where new or replaced components were not monitored.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT K 60.112

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1  
40 CFR Part 60, Subpart VV 60.482-10  
40 CFR Part 60, Subpart VV 60.482-4  
40 CFR Part 60, Subpart VV 60.482-7  
40 CFR Part 60, Subpart VV 60.485  
40 CFR Part 60, Subpart VV 60.487  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11  
40 CFR Part 61, Subpart V 61.242-4  
40 CFR Part 61, Subpart V 61.242-7

40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162  
40 CFR Part 63, Subpart H 63.174  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to complete instances of first repair attempts and final repair attempts within the required timeframes.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1

40 CFR Part 60, Subpart VV 60.482-10  
40 CFR Part 60, Subpart VV 60.482-4  
40 CFR Part 60, Subpart VV 60.482-7  
40 CFR Part 60, Subpart VV 60.485

40 CFR Part 60, Subpart VV 60.487  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11  
 40 CFR Part 61, Subpart V 61.242-4  
 40 CFR Part 61, Subpart V 61.242-7  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162  
 40 CFR Part 63, Subpart H 63.174  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to properly classify equipment leaks. According to the records reviewed there were instances where equipment leaks were classified as "Repair Delayed" without meeting the applicable Delay of Repair requirements.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

30 TAC Chapter 115, SubChapter D 115.356  
 30 TAC Chapter 115, SubChapter H 115.780  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1  
 40 CFR Part 60, Subpart VV 60.482-10  
 40 CFR Part 60, Subpart VV 60.482-4  
 40 CFR Part 60, Subpart VV 60.482-7  
 40 CFR Part 60, Subpart VV 60.485  
 40 CFR Part 60, Subpart VV 60.487  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11  
 40 CFR Part 61, Subpart V 61.242-4  
 40 CFR Part 61, Subpart V 61.242-7  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245  
 40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031

40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162  
 40 CFR Part 63, Subpart H 63.174  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.182

Description: Failure to identify specific equipment for inclusion in the LDAR program and apply the appropriate regulatory applicability to each component in the LDAR database.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

30 TAC Chapter 115, SubChapter D 115.356  
 30 TAC Chapter 115, SubChapter H 115.780  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-1  
 40 CFR Part 60, Subpart VV 60.482-10  
 40 CFR Part 60, Subpart VV 60.482-4  
 40 CFR Part 60, Subpart VV 60.482-7

40 CFR Part 60, Subpart VV 60.485  
40 CFR Part 60, Subpart VV 60.487  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT I 61.112  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-1  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.242-11  
40 CFR Part 61, Subpart V 61.242-4  
40 CFR Part 61, Subpart V 61.242-7  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.245  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT V 61.247  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1022  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1031  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1034  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1038  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UU 63.1039  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.162  
40 CFR Part 63, Subpart H 63.174  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.181

Description: Failure to properly maintain records, specifically: Daily calibration records and LDAR records requiring stream composition data.

Notice of Intent Date: 10/04/2007 (598705)  
Disclosure Date: 07/03/2008  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 136, SubChapter D, PT 136 136.1(b)

Rqmt PERMIT TPDES0003531

Description: Internal chain-of custody in the years 2006, 2007 and 2008 were missing required information.

Notice of Intent Date: 10/04/2007 (598710)  
Disclosure Date: 07/03/2008  
Viol. Classification: Moderate  
Rqmt PERMIT Operating Permit O-2181

Description: Failure to comply with Title V Operating Permit O-2181, Special Condition 31.

Notice of Intent Date: 10/04/2007 (598714)  
Disclosure Date: 01/30/2008  
Viol. Classification: Minor  
Citation: 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

30 TAC Chapter 335, SubChapter R 335.504  
30 TAC Chapter 335, SubChapter A 335.6(c)  
30 TAC Chapter 335, SubChapter C 335.62

Description: Failure to update the facility Notice of Registration.

Viol. Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(3)

Description: Failure to label tank D-3075 with the words "hazardous waste".

Viol. Classification: Minor

Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT O 268.7(a)(2)  
30 TAC Chapter 335, SubChapter O 335.431(c)(1)

Description: Failure to submit Land Disposal Restriction notifications with the initial shipment, nor maintain a copy in the facility file for two waste streams shipped to an offsite TSDF.

Viol. Classification: Minor  
Citation: 40 CFR Chapter 266, SubChapter I, PT 266, SubPT O 268.7(a)(7)

30 TAC Chapter 335, SubChapter O 335.431(c)(1)

Description: Failure to update facility files with a one time notice describing the generation, subsequent exclusion from the definition of hazardous or solid waste or exemption from RCRA Subtitle C regulation.

Viol. Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter E 335.112

30 TAC Chapter 335, SubChapter R 335.510  
30 TAC Chapter 335, SubChapter R 335.511

Description: Failure to maintain/update the the required information to document solid and hazardous waste determinations.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.13(j)

30 TAC Chapter 335, SubChapter A 335.13(k)

Description: Failure to properly maintain manifest paperwork.

Notice of Intent Date: 04/07/2008 (654966)

No DOV Associated

Notice of Intent Date: 06/18/2008 (688531)

No DOV Associated

Notice of Intent Date: 09/11/2009 (777743)

No DOV Associated

Notice of Intent Date: 04/06/2010 (800681)

Disclosure Date: 09/13/2010

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)

30 TAC Chapter 115, SubChapter H 115.782(b)

Description: Failure to repair six out of 105 components within the time periods required.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(5)

30 TAC Chapter 115, SubChapter H 115.782(a)

Description: Failure to ensure all leaking components are tagged. Specifically, 5 out of approximately 150 components were not tagged.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.356(2)(D)

30 TAC Chapter 115, SubChapter H 115.786(d)

Description: Failure to ensure all calibration information is accurately recorded.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
EQUISTAR CHEMICALS, LP  
RN100542281**

**§        BEFORE THE  
§  
§        TEXAS COMMISSION ON  
§  
§        ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2011-1947-AIR-E**

### **I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Equistar Chemicals, LP ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a chemical manufacturing plant at 8280 Sheldon Road in Channelview, Harris County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about October 10, 2011.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Ten Thousand Five Hundred Seventy-One Dollars (\$10,571) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand Two Hundred

Twenty-Nine Dollars (\$4,229) of the administrative penalty and Two Thousand One Hundred Fourteen Dollars (\$2,114) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Four Thousand Two Hundred Twenty-Eight Dollars (\$4,228) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have:

1. Failed to prevent unauthorized emissions during an event that began on June 25, 2011 (Incident No. 156229), in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 2128 Special Conditions No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on July 11, 2011. Specifically, the Respondent released 298 pounds ("lbs") of butenes and 161 lbs of butadienes from the C4 Recovery Unit Reactor R-309C during the 18 hour event. The event occurred when a flammable mixture ignited inside the Thermal Oxidizer Blower BL-03001. Because the initial notification for the event was not submitted timely and the event could have been foreseen and avoided, the demonstrations in 30 TEX. ADMIN. CODE § 101.222 necessary to present an affirmative defense were not met.
2. Failed to submit an initial notification for Incident No. 156229 not later than 24 hours after the discovery of an emissions event that began on June 25, 2011 at 10:20 p.m., in violation of 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on July 11, 2011. Specifically, the initial notification was due by 10:20 p.m. on June 26, 2011 but was not



submitted until June 28, 2011 at 6:27 p.m., over 24 hours after the incident was discovered.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Equistar Chemicals, LP, Docket No. 2011-1947-AIR-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Four Thousand Two Hundred Twenty-Eight Dollars (\$4,228) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order:
    - i. Implement measures designed to prevent unauthorized emissions due to the same cause as the emissions event that occurred on June 25, 2011 (Incident No. 156229); and
    - ii. Implement improvements to procedures to ensure emissions events are timely reported.
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance

with Ordering Provision Nos. 3.a.i. and 3.a.ii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Air Section, Manager  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Avenue, Suite H  
Houston, Texas 77023-1486

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1)

enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

8. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

## SIGNATURE PAGE

### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
\_\_\_\_\_  
For the Executive Director

3/9/12  
\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
\_\_\_\_\_  
Signature

1/19/12  
\_\_\_\_\_  
Date

Michael Van Der Snick  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Equistar Chemicals, LP

Site Manager  
\_\_\_\_\_  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

**Attachment A**  
**Docket Number: 2011-1947-AIR-E**

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**The Respondent:** Equistar Chemicals, LP

**Penalty Amount:** Eight Thousand Four Hundred Fifty-Seven Dollars (\$8,457)

**SEP Offset Amount:** Four Thousand Two Hundred Twenty-Eight Dollars (\$4,228)

**Type of SEP:** Pre-approved SEP

**Third-Party Recipient:** The Sheltering Arms

**Project Name:** Sheltering Arms Weatherization Assistance Program

**Location of SEP:** Harris County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP offset amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

a. Project

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to **The Sheltering Arms** to be used for the Sheltering Arms Weatherization Assistance Program as set forth in the Agreement between the Third-Party Recipient and TCEQ. The SEP offset amount shall be used to perform energy efficiency upgrades on low-income homes in Harris County. Specifically, the SEP offset amount may only be used for: 1) purchase and installation of compact fluorescent light bulbs; 2) the incremental cost of replacement of energy-inefficient fans and refrigerators with energy-efficient models; 3) the incremental cost of replacement of energy-inefficient washers and dryers with energy-efficient models; 4) sheetrock repairs to sustain and protect new attic insulation; 5) floor repairs to prevent air leaks; 6) repairs to patches made to sheetrock during the addition of all new insulation; and 7) other direct costs authorized in advance by TCEQ.

The SEP offset amount shall not be used to perform weatherization inspections and generate computerized audits for the proposed weatherization work where Federal Weatherization Assistance Program ("WAP") and Federal Low Income Home Energy Assistance Funds ("LIHEAP") are available. WAP and LIHEAP funds are currently limited to \$4,000 per house by regulation. The WAP and LIHEAP funds will also be used for 1) replacement of stoves, space heaters, and water heaters that leak carbon monoxide; 2) purchase and installation of carbon monoxide detectors; 3) replacement of central air conditioning systems and window units; 4) addition of wall and attic insulation; 5) caulking and weather-stripping; 5) replacement of window panels; 6) addition of solar screens; 7) new windows and doors. The SEP Offset Amount shall be used to enhance the proposed weatherization work not covered by the WAP and LIHEAP funds. The results of the weatherization audits along with any proposed modifications and associated budgets and scope of work shall be submitted to TCEQ. The SEP offset amount will be used solely for the direct cost of performing the project and no portion will be spent on administrative costs.

The Respondent certifies that it has no prior commitment to make this contribution to the Third-Party Recipient and that the SEP offset amount is being contributed solely in an effort to settle this enforcement action.

b. Environmental Benefit

Implementation of this project will reduce fuel and electricity usage for heating and cooling and day-to-day living operations. These reductions will reduce emissions of particulate matter, volatile organic carbon compounds, nitrogen oxides, and other pollutants associated with combustion of fuel and generation of electricity.

c. Minimum Expenditure

The Respondent shall contribute at least the SEP offset amount to the Third-Party Recipient and comply with all other provisions of this SEP.

## **2. Performance Schedule**

Within 30 days after the Effective Date of this Agreed Order, the Respondent shall contribute the SEP offset amount to the Third-Party Recipient. The Respondent shall make the contribution check payable to "The Sheltering Arms" and mail a copy of the Agreed Order with the check to:

Equistar Chemicals, LP  
Agreed Order - Attachment A

The Sheltering Arms  
Attention: Lynne Cooke, Vice President  
3838 Aberdeen Way  
Houston, Texas 77025

### **3. Records and Reporting**

Concurrent with the payment of the SEP offset amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP offset amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality  
Enforcement Division  
Attention: SEP Coordinator, MC 219  
P.O. Box 13087  
Austin, Texas 78711-3087

### **4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Offset Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Offset Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

Texas Commission on Environmental Quality  
Litigation Division  
Attention: SEP Coordinator, MC 175  
P.O. Box 13087  
Austin, Texas 78711-3087

### **5. Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include

advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.